Downtown
Community Plan Implementation Overlay District
(Downtown CPIO District)

Ordinance No. _____
Effective Date XXXXX

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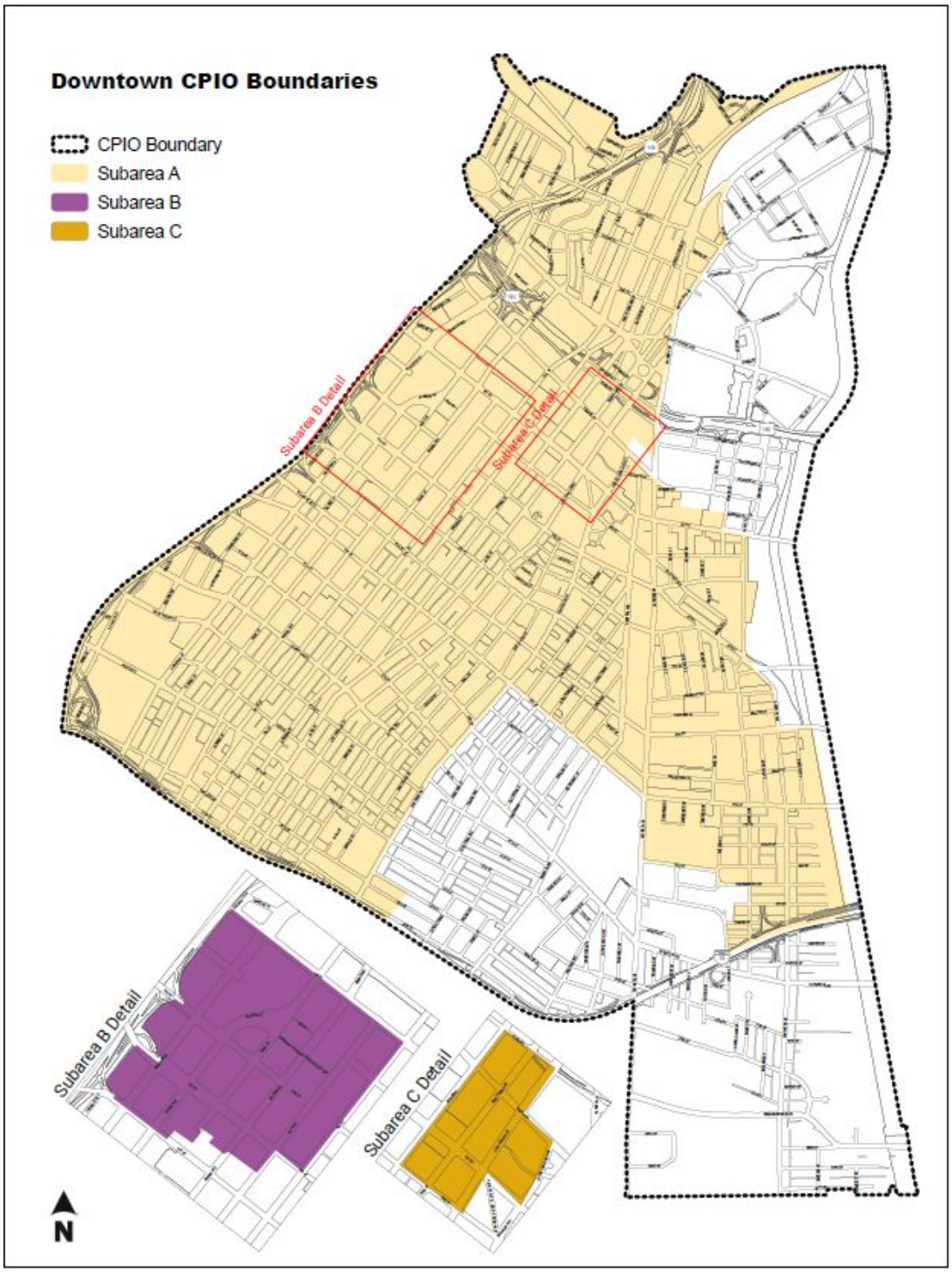
CHAPTER I – FUNCTION OF THE CPIO DISTRICT

I –I. Section I-1. DOWNTOWN CPIO DISTRICT AUTHORITY AND BOUNDARIES

Pursuant to Los Angeles Municipal Code (LAMC) Chapter 1A Section 8.2.2, the City Council establishes the Downtown Community Plan Implementation Overlay District (Downtown CPIO District). The boundaries of the Downtown CPIO District are identical to the boundaries shown in Figure 1.

Figure 1. Downtown Community Plan Implementation Overlay District Boundaries



I –II. Section I-2. PURPOSE

The purposes of the Downtown CPIO District are as follows:

A. To implement the goals and policies of the Downtown Community Plan.

B. To create building floor area and height incentives tailored to the neighborhood context and development patterns.

C. To encourage housing that is affordable to a variety of income levels and household types.

D. To create approval processes for development projects that enable infill development with positive community impacts.

E. To promote access to public open space and community facilities that meet the needs of the community.

F. To promote the overall health and sustainability of the community that resides, works, and recreates in the Community Plan Area.

G. To preserve and protect neighborhood identity, including protecting cultural and historic resources and distinctive character defining elements of existing urban form.

H. To promote strong urban design and ensure that development enhances the aesthetic character of the community; and maintains appropriate land uses.

I –III. Section I-3. SUBAREAS

The Downtown CPIO District contains three Subareas as shown on Figure 1 and as precisely delineated by solid boundary lines on the CPIO District Boundary Maps, attached to the Ordinance establishing the Downtown CPIO District. The Subareas are contiguous or non-contiguous parcels characterized by common overarching Community Plan themes, goals, and policies, and are grouped by a common boundary. The Subareas are described below.

Community Benefits Program Subarea A

The Community Benefits Program (CBP) Subarea A strives to introduce more Mixed-income and 100 Percent Affordable housing, provide access to public open space and community facilities, and facilitate the preservation and rehabilitation of historic resources in the Community Plan Area. This Subarea includes a tiered incentive structure that prioritizes Mixed-income and 100 Percent Affordable Housing. Within the Subarea, unique zones tailor the incentives to the surrounding context, offering greater intensities of FAR and height around fixed rail transit stations and bus corridors, and considering the identity of neighborhoods.

Bunker Hill Pedestrian Plan Subarea B

The purpose of Subarea B is to implement the previously adopted Bunker Hill Specific Plan for an integrated network of pedestrian linkages throughout the Bunker Hill area. Subarea B shows the general location of the pedestrian linkages. The network of linkages, and the provisions hereinafter set forth to implement such a network, shall be applicable to all Projects and to all properties within Subarea B.

Civic Center Development Standards Subarea C

The purpose of Subarea C is to implement development standards for the Civic Center Master Plan Area. These standards regulate projects that may be built upon City-owned properties located in proximity to City Hall, and aim to achieve an active and world-class Civic Center environment.

I –IV. Section I-4. DEFINITIONS

"100 Percent Affordable Housing" shall mean a project in which 100 percent of the residential dwelling units, excluding any manager unit(s), are Restricted Affordable Units.

"Above-Moderate Income" shall mean persons and families whose incomes do not exceed 150 percent of area median income, adjusted for family size.

"At-Risk Affordable Unit" shall mean any residential dwelling unit that receives government assistance under prescribed federal, State, and/or local programs, or any combination of rental assistance and is eligible to convert to market rate due to termination (opt-out) of a rent subsidy contract, prepayment of a subsidized mortgage, or expiration of rental restrictions. These assistance programs include, but are not limited to, Housing Choice Vouchers [formerly Section 8], project-based rental assistance, subsidized mortgage programs (e.g., FHA), or expiring rent/deed restrictions with the use of State or local funding programs, including Community Redevelopment Agency Covenants.

"Community Land Trust" shall mean a California nonprofit corporation that: (1) has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; (2) is neither sponsored by, controlled by, nor under the direction of a for-profit organization; (3) has a corporate membership of adult residents of a particular geographic area as described in the bylaws of the corporation; (4) has a board of directors that: (A) includes a majority of members who are elected by the corporate membership; (B) includes representation by persons occupying and/or leasing any structural improvements on the land; and (C) includes representation by persons residing within the geographic area specified in the bylaws of the corporation who neither lease land from the corporation nor occupy structural improvements

controlled by the corporation; (5) acquires and retains parcels of land, primarily for conveyance under long-term ground leases; (6) transfers ownership of many or all of the structural improvements located on such leased parcels to the lessees; and (7) retains a preemptive option to purchase such structural improvements at a price determined by formula that is designed to ensure that the improvements remain affordable to low and moderate income households in perpetuity.

"Developer" shall mean the owner of the Project and, if different from the owner, any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities which develops or causes to be developed the residential housing project and, if applicable, provides off-site affordable units, together with their successors and assigns, but does not include a lender, any governmental entity or the general contractor working for any developer.

"Eligible Historic Resources" shall mean a building, structure, object, site, landscape, or natural feature identified as an individual resource or as a contributor to a historic district under a local, state or federal designation program; or identified as a contributor to an eligible historic through SurveyLA (The Los Angeles Historic Resources Survey), or another historical resource survey, completed after the effective date of the CPIO, and completed by a person meeting the Secretary of the Interior's Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with the Office of Historic Resources (OHR). This term does not include a non-contributor to an eligible historic district.

"Mixed-income Housing" shall mean a project comprising a mix of market-rate and Restricted Affordable Units.

"Project" Within Subarea A, a "Project" shall mean any construction, erection, alteration of, or addition to a structure that would exceed the Base Floor Area and Base Height allowances authorized under the subject site Form District.

Within Subareas B & C, a "Project" shall mean any activity that requires the issuance of a building, grading, demolition, or change of use permit, unless the activity consists solely of interior tenant improvements, rehabilitation, or repair work.

Within all Subareas, a "Project" shall also mean the installation of any Conventional Plastic Faced Box or Cabinet Sign; any Formed Plastic Faced Box or Injection Molded Plastic Sign, Any Luminous Vacuum Formed Letter Sign, and/or any Animated or Flashing Sign. Furthermore, a "Project" shall also mean the installation of signs on any structure or site that has received approval under LAMC Chapter 1A Section 16.05 following the effective date of this CPIO.

"Public Benefits" shall mean improvements, facilities, resources, and services beyond affordable housing for the benefit and enjoyment of the general public, pursuant to LAMC Chapter 1A Section 9.3

"Restricted Affordable Unit" shall mean a Dwelling Unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Deeply Low, Extremely Low, Low, Moderate, and Above Moderate households, as determined by the Los Angeles Housing and Community Investment Department or its successor agency.

I –V. Section I-5. RELATIONSHIP TO OTHER ZONING REGULATIONS

A. For properties within the boundaries of the Downtown Community Plan, where this CPIO applies, the Citywide Transit Oriented Communities Guidelines (TOC) shall not be superseded by the provisions and requirements contained within this ordinance.

B. Nothing in the Downtown CPIO District is intended to override or conflict with any regulations in the LAMC or other ordinance establishing a park or Quimby fee or park or open space dedication requirement, including any provisions related to credits or fee and dedication calculations.

C. For projects participating in the Community Benefits Program, Restricted Affordable Units provided through the Affordable Housing Local Incentive Program pursuant to Chapter II, Section 2 shall be deducted from a project's required Affordable Housing Linkage Fee.

D. Nothing in this Downtown CPIO District is intended to override or conflict with any regulations in the LAMC that would otherwise require a Conditional Use Permit.

E. Nothing in this Downtown CPIO District is intended to override or conflict with any bicycle parking regulations.

F. Nothing in this Downtown CPIO District is intended to override or conflict with the regulations set forth in LAMC Chapter 1A Section 9.B.1 that provide bonuses, waivers and incentives for certain affordable housing projects.

G. Nothing in this Downtown CPIO District is intended to override or conflict with the regulations set forth in a Community Design Overlay or Sign District applicable to a subject site.

H. Any reference to a section of the LAMC made in this CPIO shall be automatically updated in the event that the LAMC is re-numbered, or re-organized.

I –VI. Section I-6. REVIEW PROCEDURES

A. Prohibition of Issuance of DBS Permits Prior to CPIO Approval. The Department of Building and Safety (DBS) shall not issue a permit for any Project as defined in this CPIO within a Downtown CPIO District Subarea (in whole or in part), unless the Project has been reviewed and approved in accordance with this Section I-6.

B. Filing Requirements for Multiple Approvals. When an applicant applies for any discretionary approval for a property located (in whole or in part) in a CPIO District Subarea, the applicant shall also apply for a CPIO Approval pursuant to Subsection C, below. A CPIO Adjustment or a CPIO Exception shall be a project adjustment or project exception for purposes of LAMC Chapter 1A Section 13.6, and shall be processed pursuant to the procedures in LAMC Chapter 1A Section 13.6, if applicable.

C. CPIO Approval. All Discretionary Projects within a Downtown CPIO District Subarea (in whole or in part), Projects seeking additional development rights within Subarea A, and all projects (ministerial and discretionary) within Subareas C and D shall obtain an Administrative Clearance to demonstrate compliance with the Downtown CPIO District, unless a Director's Determination is required under subsection C.3. An application for a CPIO Approval shall be reviewed and approved pursuant to LAMC Chapter 1A Section 13.5.1, including as its requirements are modified and supplemented below:

1. **Content of Application for a CPIO Approval.** In addition to any other information or documents required under LAMC Chapter 1A Section 13.5.1, an applicant shall provide, at a minimum, two sets of detailed permit drawings and any other exhibits deemed necessary to demonstrate compliance with all applicable provisions of the CPIO District. Each application submitted for a CPIO Adjustment, or a CPIO Exception shall clearly identify and list all of the adjustments and exceptions requested.
2. **Administrative Clearance.** In addition to the requirements in LAMC Chapter 1A Section 13.5.1, the following shall apply:

    a. **Director Approval.** The Director shall grant an Administrative Clearance after reviewing the Project and finding that it is in compliance with all applicable provisions of the Downtown CPIO District as indicated by a plan

stamped by the Department of City Planning.

b. Non-Appealable Ministerial Approval. The approval of an Administrative Clearance is not subject to appeal and is not discretionary for purposes of CEQA Guidelines Sections 15060(c)(1) and 15268.

c. Scope of Review and Non-Conforming Uses.

i. In reviewing a Project for an Administrative Clearance, the Director shall review the Project for compliance with those regulations that are applicable to the proposed scope of construction or use.

ii. Non-conforming uses shall comply with LAMC Chapter 1A Section 12.6, except as noted in this ordinance.

3. Director's Determination. In addition to the requirements in Section I-6 C.2 above, and LAMC Chapter 1A Section 13.4.5, projects providing Public Benefits under Chapter II – 3 of this CPIO shall file for a Director's Determination.

a. Community Plan Implementation Overlay Director's Determination - Director Authority with Appeals to the Area Planning Commission. The Director or the Director's designee shall have initial decision-making authority to grant a CPIO Director's Determination, with an appeal to the Area Planning Commission in accordance with the procedures set forth in LAMC Chapter 1A Section 13.4.5

b. Limitations. A Director's Determination shall be solely for the purpose of approving Public Benefits Incentive Programs pursuant to LAMC Chapter 1A Section 9.3.

c. Findings. The Director's Determination shall include written findings in support of the determination. In order to approve a proposed project pursuant to this subsection, the Director must find that:

i. The project, as approved, is consistent with the purpose and intent of the CPIO and substantially complies with the applicable CPIO regulations;

ii. Conditions have been incorporated into the Determination that will ensure the ongoing use or operation of the Public Benefit.

iii. The facilities proposed by a project utilizing a Public Benefit Program under Section II – 3 B. Publicly Accessible Outdoor Amenity Space or C. Community Facilities serve the needs of the surrounding residents, employees, and visitors; and do not result in an over-concentration of any one service or amenity.

d. CEQA. Approval of a CPIO Director's Determination is a discretionary approval for purposes of CEQA Guidelines Section 15060(c)(1).

4. CPIO Adjustments. In addition to the requirements in LAMC Chapter 1A Section 13.6.4, the following shall apply:

a. Eligible Regulations. Development regulations contained in Chapter IV of this CPIO are eligible for a CPIO Adjustment pursuant to this Section I-6.C.4. Projects seeking relief from a Subarea regulation that is not eligible (or further eligible) for a CPIO Adjustment may seek relief with a - CPIO Exception.

b. CEQA. Approval of a CPIO Adjustment is a discretionary approval for purposes of CEQA Guidelines Section 15060(c)(1).

5. CPIO Exceptions. In addition to the requirements in LAMC Chapter 1A Section 13.6.5, the following shall apply:

a. Eligible Regulations. Development regulations contained in Chapters III and IV of this CPIO are eligible for a CPIO Exception pursuant to this Section I-6.C.5.

b. CEQA. Approval of a CPIO Exception is a discretionary approval for purposes of CEQA Guidelines Section 15060(c)(1).

c. Supplemental Development Regulations. All Projects shall comply with all applicable supplemental development regulations in the applicable CPIO Subarea, unless a CPIO Adjustment or CPIO Exception is permitted and obtained or the Project falls within the category of Projects described in Section I-5.G of this CPIO District. Images and figures provided in the CPIO District are illustrative only and are not intended to establish supplemental development regulations.

I –VII. Section I-7. SIGN STANDARDS

A. CONCEPTUAL SIGN PLAN All projects requesting Project Review pursuant to LAMC Chapter 1A Section 13.4.4, shall submit a Conceptual Sign Plan for the entire project and are subject to the standards below.

1. The Conceptual Sign Plan shall identify all sign types that can be viewed from the street, sidewalk or public right-of-way. The intent of the Conceptual Sign Plan is to ensure a cohesive, integrated sign program so that all individual tenant signs will contribute to and create strong project identity. The Conceptual Sign Plan shall include:

a. A site plan identifying the general location of all signs and showing its location in relation to structures, walkways and landscaped areas; and

b. A schematic elevation of each building façade identifying the general placement, size, and sign area of all sign types.

2. No permits for individual signs shall be issued until the applicant has submitted detailed sign plans to the Department of City Planning, showing substantial compliance with the Conceptual Sign Plan, including:

a. A matrix describing general characteristics of each sign type, sign name or number, illumination, dimensions, and quantity; and

b. A scaled elevation of each sign type showing overall dimensions, sign copy, typeface, materials, colors and form of illumination.

B. Prohibited Signs

1. Within CPIO Subareas A, B, and C, the following signs are prohibited:

a. Conventional plastic faced box or cabinet signs;
b. Formed plastic faced box or injection molded plastic signs;
c. Luminous vacuum formed letters; and
d. Animated or flashing signs (real-time information signs are permitted)

C. Sign Illumination and Animation

1. Within CPIO Subareas A, B, and C, signs shall adhere to the following illumination and animation standards:

a. Signs shall use appropriate means of illumination. These include: neon tubes, fiber optics, incandescent lamps, cathode ray tubes, shielded spotlights and wall wash fixtures.

b. Signs may be illuminated during the hours of operation of a business, but not later than 2 a.m. or earlier than 7 a.m. Signs for 24-hour uses, such as hotels, are exempt from these limited hours of illumination.

I –VIII. Section I-8. ENVIRONMENTAL STANDARDS PROCEDURES

The Environmental Standards in Appendix A are included in the Downtown CPIO District to implement the Mitigation & Monitoring Program included as part of the Downtown Community Plan update and reviewed in the City of Los Angeles Downtown Community Plan Environmental Impact Report (Case No. ENV-2017-433-EIR), certified on XX, XX, XXXX.

Any Discretionary Project within the CPIO Boundaries shall comply with all applicable Environmental Standards as set forth in Appendix A, subject to the following rules.

A. Applicability of Environmental Standards. A Project does not need to comply with any Environmental Standard that is not relevant to the scope of activities involved with the Project. For example, a Project that proposes only minor façade alterations and no grading shall not be subject to Environmental Standards that apply to grading activities (such as noise and vibration standards). The decision maker, in his or her reasonable

discretion, shall determine those Environmental Standards that apply to a particular Project.

B. **Plans.** Compliance with all applicable Environmental Standards listed in Appendix A shall be demonstrated on the plans as project features (that is, features that are physically built into the Project such as an air filtration system) or as operational features listed on a sheet within the plans (that is, features that are carried out either during the construction of the Project, or over the life of the project, such as the use of paints, sealants, and other building materials that yield low air pollutants).

C. **Modification of Environmental Standards**. Modifications of Environmental Standards do not require the processing of a CPIO Adjustment or CPIO Exception. The decision maker may modify or dispense with an Environmental Standard listed in Appendix A.

I –IX. Section I-9. USE OF BEST PRACTICE APPENDICES

The Best Practices in Appendices B, C, D, and E of this CPIO are not mandatory for Projects requiring an Administrative Clearance, Director's Determination, CPIO Adjustment, or CPIO Exception pursuant to Section I-6.C . of this CPIO, or any other Discretionary application filed within the CPIO Boundaries. The Best Practice Appendices provide resources that encourage livable and sustainable development in Downtown Los Angeles.

Nothing in this section, the Downtown CPIO District, or any other applicable citywide design guidelines, shall allow decision makers to approve, deny, or condition a discretionary approval based on these best practices.

I –X. Section I-10. CEQA CLEARANCE

For purposes of CEQA compliance for subsequent projects approved with a CPIO Approval, including, but not limited to, consideration of a CEQA clearance pursuant to Government Code Section 65457, Public Resources Code Section 21155.4; or CEQA Guidelines, Sections 15183 or 15183.3, the Downtown CPIO District shall operate and be treated as a specific plan, zoning ordinance, and a prior plan level decision for which an EIR was certified.

I –XI. Section I-11. SEVERABILITY

If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

CHAPTER II – COMMUNITY BENEFITS STANDARDS SUBAREA

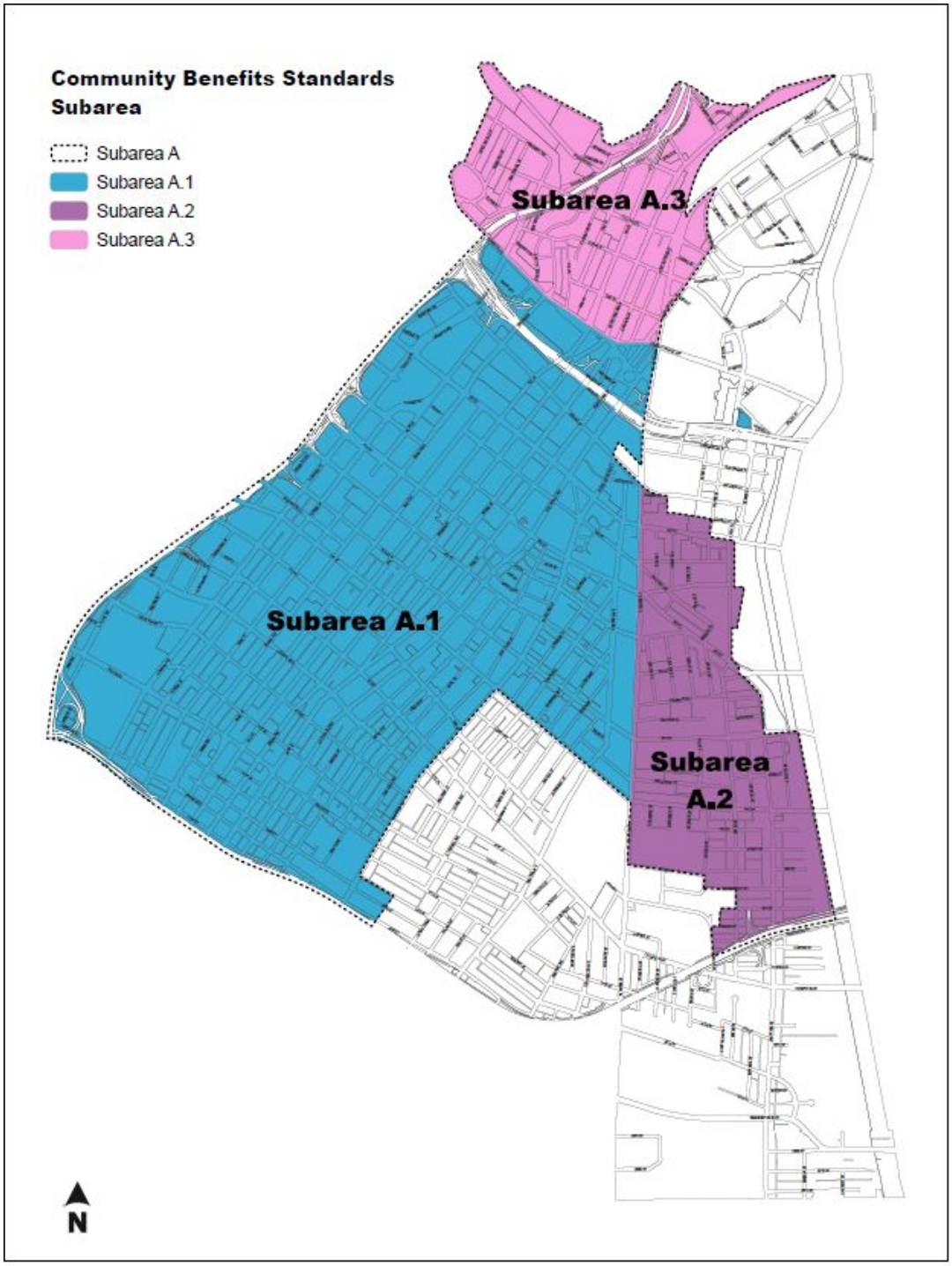
COMMUNITY BENEFITS PROGRAM SUBAREA

A – DOWNTOWN COMMUNITY BENEFITS PROGRAM SUBAREA A

OVERVIEW

The Community Benefits Program (CBP) Subarea A strives to introduce more affordable housing development, provide access to public open space and community facilities, and facilitate the preservation and rehabilitation of historic resources in the Plan Area. This Subarea includes a tiered incentive structure that prioritizes Mixed-income and 100 Percent Affordable housing. Within the Subarea, there are three subsections that tailor the incentives to the surrounding context, offering greater intensities of FAR and height around fixed rail transit stations and bus corridors, and reinforcing the identity of neighborhoods.

Figure 2. - Downtown Community Benefits Program Subarea Map



II – I. 1. COMMUNITY BENEFITS STANDARDS

A. Relief. Requirements of this Chapter shall not be eligible for a CPIO Adjustment pursuant to Section I-6 C.4 or a CPIO Exemption Section I-6 C.5.

B. Pro Rata Share. Projects may seek less than the full increment of FAR available through the incentives in this Chapter provided that they provide a proportional share of community benefits and meet the minimum requirements below.

II – II. 2. LOCAL AFFORDABLE HOUSING INCENTIVE PROGRAM PURSUANT TO LAMC CHAPTER 1A 9.3.2

A. Requirements

1. **On-Site Restricted Affordable Units**. Within the boundaries of this CPIO Subarea, a Housing Development shall provide Restricted Affordable Units at rates outlined in Set E of LAMC Chapter 1A Section 9.3.2.B. The minimum number of Restricted Affordable Units shall be calculated based upon the base number of units in the final project.

2. **Calculation of base residential units**. To determine the number of base units for purposes of calculating the required number of Restricted Affordable Units pursuant to A.1 above, follow the steps outlined below:

    a. Calculate the average unit size in the proposed project by dividing the total proposed residential square feet by the total number of proposed units.

    b. Calculate the total base residential square feet by taking the lesser of the following:

        i. The total square feet allowed under the Base Maximum FAR; or

        ii. The total proposed residential square feet in the project

    c. Divide the base residential square feet as calculated in (b) by the average unit size in (a). This is the base number of units that shall be used for purposes of determining the number of affordable units.

    d. For purposes of this calculation, in no instance shall the average unit size be greater than 1,500 square feet.

    e. A project may adjust the size of units and residential square feet up to 10% without recalculating base units after an application has been deemed complete.

B. Off-site Construction. The affordability provisions of this Section may be satisfied by constructing off-site affordable units at the following rate:

No less than the same number of on-site affordable units, at the same or greater mix of unit type and affordability levels as provided in Section 11-2A, off-site units must be provided within the boundaries of the Downtown Community Plan Area. The off-site units created pursuant to this paragraph must be on a site that is zoned for residential development at a density to accommodate at least the number of otherwise required units; is suitable for development of the units in terms of configuration, physical characteristics, location, access, adjacent uses and other relevant planning and development criteria; and environmental review has been completed to the satisfaction of the City prior to acceptance of the site by the City. The development of off-site affordable units shall include integration of community space and services as required by the Housing and Community Investment Department for comparable affordable housing development. The first Certificate of Occupancy for the off-site units shall be issued prior to or concurrent with the first Certificate of Occupancy for the original Project. In no event shall the Certificate of Occupancy for the market rate units for the original project be issued prior to the Certificate of Occupancy for the affordable off-site units. Individual affordable units constructed as part of an off-site project under this Section shall not receive development subsidies from any Federal, State or local program established for the purpose of providing affordable housing, and shall not be counted to satisfy any affordable housing requirement for the off-site development. Other units in the same offsite project may receive such subsidies. In addition, subsidies may be used, only with the express written permission by the Department of Housing and Community Investment, to deepen the affordability of an affordable unit beyond the level of affordability required by this Section.

C. Off-site Acquisition. The affordability provisions of this Section may be satisfied by the acquisition of property containing At-Risk Affordable Units and converting the units to non-profit, Community Land Trust, and/or tenant ownership prior to issuance of the Certificate of Occupancy for the original Project. Prior to transferring ownership to a qualified entity, the At-Risk Affordable Units shall achieve a minimum of a C2 rating based on the Fannie Mae Uniform Appraisal Dataset Property Condition Ratings, as assessed and certified by the Housing and Community Investment Department (HCID), or as required by HCID to be completed by the Developer and subsequently certified by HCID. Any entity taking ownership of At-Risk Affordable Units pursuant to this Section shall record an affordability covenant guaranteeing affordability to Deeply Low, Extremely Low, Very Low, Lower, or Moderate Income Households. The number of At Risk Affordable Units that must be acquired and converted to non-profit or tenant ownership under this subdivision shall be as follows:

No less than the same number of on-site affordable units, at the same or greater mix of unit type and affordability levels as provided in Section II – 2A of this CPIO District; and

Properties acquired must be located within the boundaries of the Downtown Community Plan Area.

All other units located on the subject property shall be restricted to no more than 150% AMI.

In no circumstances shall existing tenants be evicted from existing units. If existing tenants do not meet the income restriction above, the unit shall not be income restricted until the unit is vacant.

D. In-Lieu Fee. The affordability provisions of this Section may be satisfied by the payment of a fee to the City of Los Angeles Downtown Affordable Housing Trust Fund in lieu of constructing the affordable units within the Project. The in lieu fee shall be determined by the City based on the following:

The number of units equivalent to 1.1 times the required number of on-site affordable units pursuant to Section II-2A, in the same proportion of affordability, multiplied by the applicable Affordability Gap, as defined in LAMC Chapter 1A Section 13.3.1.E.4.

The fee is due and payable to the City of Los Angeles Downtown Affordable Housing Trust Fund at the time of and in no event later than issuance of the first building permit, concurrent with and proportional to project phases. The Developer shall have an option to defer payment of all or a portion of the fee upon agreeing to pay a Deferral Surcharge, with the fee and the Deferral Surcharge due and payable at the time of and in no event later than issuance of the Certificate of Occupancy. The Deferral Surcharge will be assessed at the Wall Street Journal Prime Rate plus 200 basis points at the time such fee is due, at the issuance of the building permit. The Deferral Surcharge fee shall be deposited into the Downtown Affordable Housing Trust Fund and accounted for and used as provided in Section (c).

E. Dwelling Unit Mix and Location. For sites located in Subarea A.3, a minimum of 30% of the total dwelling units for an Eligible Housing Development shall be two bedrooms or greater.

F. Additional Incentives. In addition to the FAR and height bonus identified in LAMC Chapter 1A Section 9.3.2, a Housing Development Project shall be granted two additional incentives.

Building Width. See LAMC Chapter 1A Section 2.C.6

a. For all Eligible Housing Development Projects, up to a 20% increase in maximum building width may be granted.

Lot Coverage. See LAMC Chapter 1A Section 2.C.2

b. For all Eligible Housing Development Projects, up to a 20% increase in maximum lot coverage may be granted.

Lot Width. See LAMC Chapter 1A Section 2.C.1

c. For all Eligible Housing Development Projects, up to a 20% decrease in required minimum lot width may be granted.

Averaging of Floor Area. See LAMC Chapter 1A Section 2.C.4.

d. A Housing Development Project that is located on two or more adjacent parcels may average the Floor Area over the project site provided that:

i. The proposed use is permitted by the Use District of each parcel; and

ii. No further lot line adjustment or any other action that may cause the Housing Development Project site to be subdivided subsequent to this grant is permitted

II – III. 3. PUBLIC BENEFITS INCENTIVE PROGRAMS PURSUANT TO LAMC CHAPTER 1A Section 9.3 to promote the production of improvements, facilities, resources, and services beyond affordable housing for the benefit and enjoyment of the general public.

A. Transfer of Development Rights for Historic Preservation.

1. **Purpose**. The purpose of the Transfer of Development Rights program is to facilitate the preservation of Historic Resources within Subarea A.2, while enabling development rights to be utilized on more appropriate sites.
2. **Applicability**. The procedures contained in this subsection apply exclusively to properties within Subarea A.2 subject to the eligibility requirements and other regulations below.
3. **Eligibility**. A transfer of unused Floor Area, including Bonus FAR, from a Donor Site to a Receiver Site is permitted, provided the transfer is in conformance with the following rules for transfer:
   - **a.** The Donor Site is designated as a Los Angeles Historic-Cultural Monument, a Contributing Structure to a City Historic Preservation Overlay Zone, is listed in or formally determined eligible for the California Register of Historical Resources or the National Register of Historic Places, or is identified as a contributor to a historic district or individual resource by SurveyLA, or another historical resource survey completed, completed after the effective date of the CPIO by a person meeting the Secretary of the Interior's Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with the Office of Historic Resources (OHR).
   - **b.** The Donor Site has unused Floor Area under its Base FAR and/or Bonus FAR pursuant to Article 2 (Form).
   - **c.** A Receiver Site may receive all available unused Floor Area from the Donor Site, including the Donor Site's Bonus FAR, at a 1:1 ratio (i.e., for every square-foot transferred from a Donor Site a receiver Site gets one square-foot) up to the receiver Site's allotted Bonus FAR.
   - **d.** The receiver site shall not demolish any Historic resource, as defined above.
4. **Process**. To utilize a Transfer of Development Rights, an application must be filed pursuant to LAMC Section 13.4.5 (Director Determination). In addition, the following requirements shall apply:
   - **a.** The applicant shall consult with the Department of City Planning, Office of Historic resources to identify, with respect to the Donor Site, the significant

historic features that are required to be maintained, and to identify any rehabilitation work required to be completed.

b. A Preservation Plan and easement, pursuant to Subdivision e.2. below, shall be completed prior to the completion of the Director Determination process.

c. Following the issuance of a Director Determination, and prior to the issuance of building permits for a project utilizing a Transfer of Development Rights, all fee owners of the Donor Site(s) and receiver Site(s) involved shall execute a covenant and agreement in a form designed to run with the land and be binding on future owners, assigns and heirs and which is satisfactory to the Department of City Planning. The applicant shall record the covenant in the county recorder's Office and shall file certified copies with the Departments of City Planning and Building and Safety.

- **i.** Donor Site Covenant: The covenant on a Donor Site shall acknowledge the reduced Floor Area to the extent unused permitted Floor Area was transferred to a receiver Site(s), and the location of the receiver Site(s).
- **ii.** Receiver Site Covenant: The covenant on a receiver Site shall acknowledge the increased Floor Area to the extent unused permitted Floor Area was transferred from a Donor Site(s), and the location of the Donor Site(s).
- **iii.** Covenant Applicability: The covenants shall apply as long as the transferred Floor Area is being utilized by the Receiver Site. If the Receiver Site is no longer utilizing the transferred Floor Area, the owner of the Receiver Site may apply to terminate the covenant.

d. Preservation Plan and Easement: The Donor Site shall execute a Preservation Plan and easement, with the following minimum standards:

i. The Preservation Plan and easement shall be executed with the Department of city Planning, Office of Historic resources or a qualified non-profit Historic Preservation Organization, or other entity of the city's choosing, and;

ii. The Preservation Plan and easement shall address, at a minimum:

1) Maintenance of the resource, the property, and significant historic features;
2) Additions and alterations to the resource and/or significant elements of any building and the property;
3) Demolition of the resource and/or significant elements of any building and the property;
4) Required rehabilitation work to any significant historic features;
5) Required rehabilitation work must be completed within 10 years of the recordation of the Preservation easement.
6) Inspections to ensure compliance with the Preservation easement. Inspections must occur at minimum once every 5 years, however the number of inspections may be increased as part of the Preservation Plan and easement;
7) Other standards and requirements as required by the Director of Planning;

8) Fines and penalties for violating any section of the Preservation Plan and easement.The Preservation Plan and easement shall apply as long as the transferred Floor Area is utilized on the receiver Site.If the owners of the Historic resource that is the subject of the Preservation Plan and easement have violated the Plan and easement, the owners of the resource shall pay a fine equal to ten (10) times the value of the application fee and cumulative inspection fees paid.

II – IV. 4. Publicly Accessible Outdoor Amenity Space pursuant to LAMC Chapter 1A 9.3.3.

A. For every additional 4% of lot area dedicated as publicly accessible open space, above the subject site's required Lot Amenity Space, eligible projects may obtain an additional 1.0:1 FAR for either of the following:

1. Land dedicated for public open space, in consultation with the Department of Recreation and Parks.

2. On-site publicly accessible open space, constructed in accordance with the requirements listed below:

a. At least one public restroom shall be provided within or adjacent to and directly accessible from the publicly accessible open space. Signage shall indicate that the restroom is available for public use.

b. At least one of the amenity options listed below shall be provided within or adjacent to the publicly accessible open space:

i. Outdoor exercise equipment available for public use
ii. Sport courts available for public use
iii. Dog run available for public use
iv. Children's play area available for public use
v. Community garden available for public use

c. At least 20% of the publicly accessible open space shall be shaded. Percentage shading shall be the shadow cast on the publicly accessible open space measured at noon (12:00 p.m.).

II – V. 5. Community Facilities pursuant to LAMC Chapter 1A 9.3.4

A. For every 2.5% of incremental bonus floor area above a minimum of 5,000 square feet, dedicated to one of the following, eligible projects may obtain an additional 1.0:1 FAR:

1. LAUSD or public charter Schools and public Libraries pursuant to LAMC Chapter 1A Section 9.3.4.B.5

2. Social Services pursuant to LAMC Chapter 1A Section 9.3.4.B.6

3. Public facilities pursuant to LAMC Chapter 1A Section 9.3.4.B.7

4. Regional Mobility Hubs as specified in the Mobility Hubs Reader's Guide

B. For sites located in Subarea A.2, Employment Centers, projects in which a minimum of 50% of the total Floor Area, inclusive of any bonus floor area, contains non-residential uses, excluding uses in the Eating and Drinking Establishments, Personal Services, and Retail Sales use groups, may obtain additional floor area up to 4.0:1 FAR.
On-site provision of Child Care services pursuant to LAMC Chapter 1A Section 9.3.4.B.1

1. A Housing Development must fully utilize the Local Affordable Housing Incentive Program pursuant to LAMC Chapter 1A 9.3.2 before obtaining Floor Area through this incentive.

II – VI. **6. Additional On-Site Restricted Affordable Units.**

A. A Housing Development may exceed the bonus FAR received through the Local Affordable Housing Incentive Program up to the maximum bonus FAR by an additional 1.0:1 FAR for each increase in the amount of on-site restricted affordable units according to the following percentages: 3% Deeply Low, Extremely Low Income, or Very Low Income; or 4.5% Low Income, Moderate Income (for sale or rent), or Above Moderate Income (for sale or rent).

II – VII. **7. Height Incentives for non-residential projects.** A non-residential project receiving at least 1.0:1 FAR through any of the Public Benefits Incentive Programs above shall be eligible for the maximum bonus height in the Form District.

II – VIII. **8. Community Benefits Fund.** Projects that have satisfied minimum onsite or commensurate benefits under Sections II-III through II-V, may achieve additional floor area by submitting payment to a Community Benefits Fund. *Procedures involving the implementation of the Community Benefits Fund are forthcoming. (See Program P21 of the Community Plan Text for additional information).*

A. For Housing Development Projects, a project must meet the requirements of the Local Affordable Housing Incentive Program and provide Public Benefits up to an FAR equivalent to one-half of the delta between 1.35 times the Base Maximum FAR, and the Bonus Maximum FAR.

B. For non-residential projects, a project must provide Public Benefits up to an FAR equivalent to one-half of the delta between the Base Maximum FAR, and the Bonus Maximum FAR.

II – IX. **9. Buildable Area Calculation.** For a project on a lot designated, in whole or in part, as Transit Core by the General Plan Land Use Map the Maximum Bonus Floor Area Ratio shall be calculated by including the lot area plus the area between the exterior lot lines and the centerline of any abutting public right-of-way. For a development project to be eligible:

A. A Housing Development must fully utilize the Local Affordable Housing Incentive Program pursuant to LAMC Chapter 1A 9.3.2

B. A non-residential project must obtain at least 1.0:1 FAR through any of the Public Benefits Incentive Programs above.

II – X. **10. Project Review Threshold.** For a project participating in the Community Benefits Program that meets the minimum requirements of Chapter II above, the threshold for project review pursuant to LAMC Chapter 1A Section 13.4.4 shall be five hundred residential dwelling units or 500,000 square feet of non-residential development.

CHAPTER III – BUNKER HILL DEVELOPMENT STANDARDS SUBAREA

BUNKER HILL DEVELOPMENT STANDARDS SUBAREA

B – BUNKER HILL DEVELOPMENT STANDARDS SUBAREA B

OVERVIEW

The purpose of this Subarea is to maintain an integrated network of pedestrian linkages throughout the Bunker Hill area, as initially established under Ordinance 182576. Figure 3 shows the general location of the pedestrian linkages. The network of linkages, and the provisions hereinafter set forth to implement such a network, shall be applicable to all projects and to all properties within the Subarea, as more particularly designated in Figure 1.

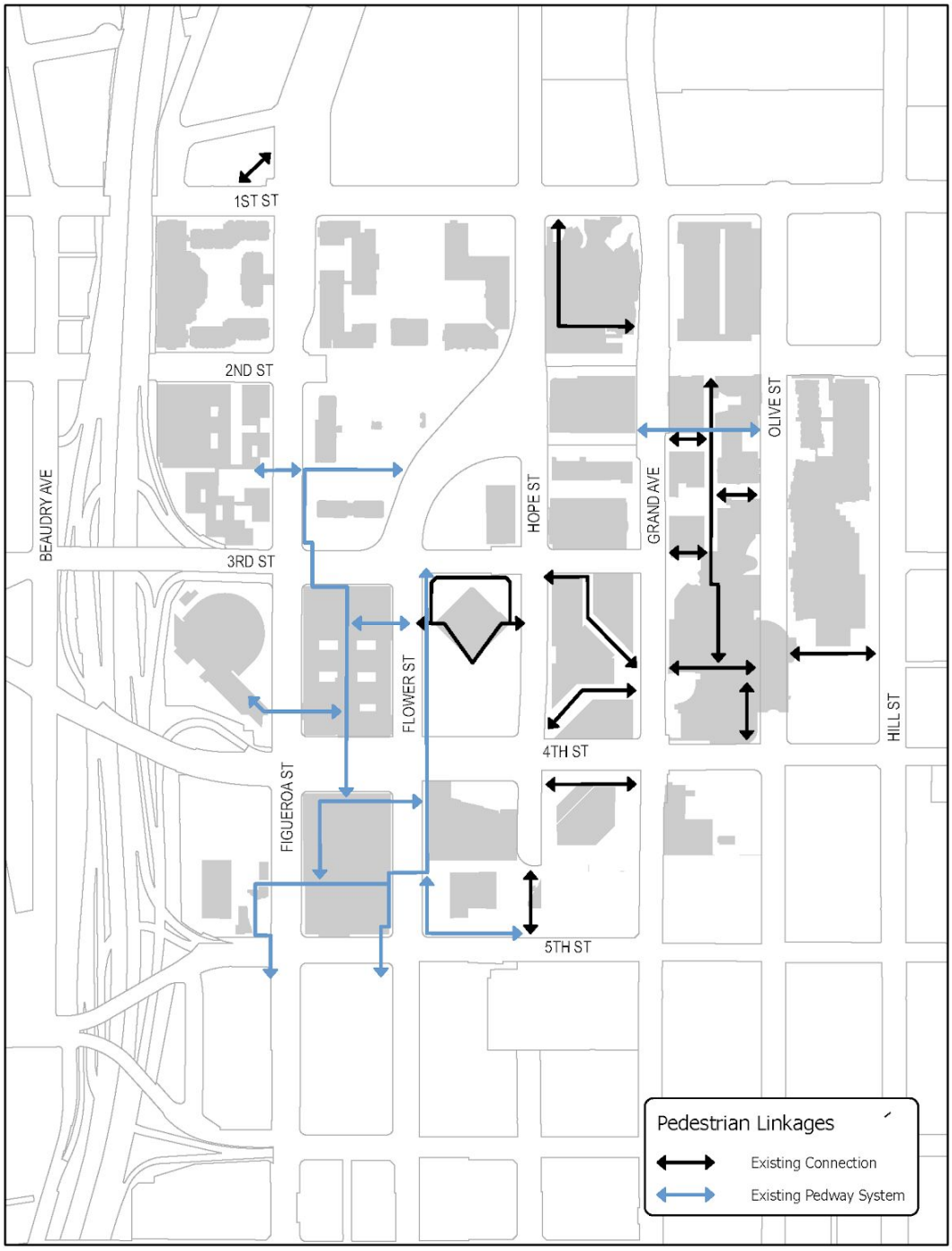
III – I. **Maintenance of Existing Easements for Pedestrian Walkways**. Existing public easements for Pedestrian Walkways must be maintained unless an equivalent pedestrian easement is provided, subject to the Director's approval. Existing public easements shall be maintained in accordance with the following:

A. The Pedestrian Corridor shall be open to the public between the hours of 5 a.m. and 10:30 p.m., but may be closed outside of such hours.

B. The use of any components of the Pedestrian Corridor by the public shall not be revoked by the owner of any building without the prior written approval of the Director and the City Engineer. This Section does not supersede the City's right-of-way vacation process. Such approval shall be given only if (1) the buildings or other improvements to be served by such components have been demolished, or (2) a particular component presents a danger to public safety.

1. Any changes in the approximate location of the Pedestrian Corridor shall be subject to the Director's approval upon a finding that any such change will provide equal or better pedestrian access and safety.

Figure 3. – Bunker Hill Pedestrian Linkages



CHAPTER IV – CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA

CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA

C – CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA C

OVERVIEW

The purpose of this is to implement development standards for the Civic Center Master Plan Area. These standards regulate projects that may be built upon City-owned properties located in proximity to City Hall, and aim to achieve an active and world-class Civic Center environment. Additionally, these standards ensure that new development responds to the surrounding context, especially Los Angeles City Hall.

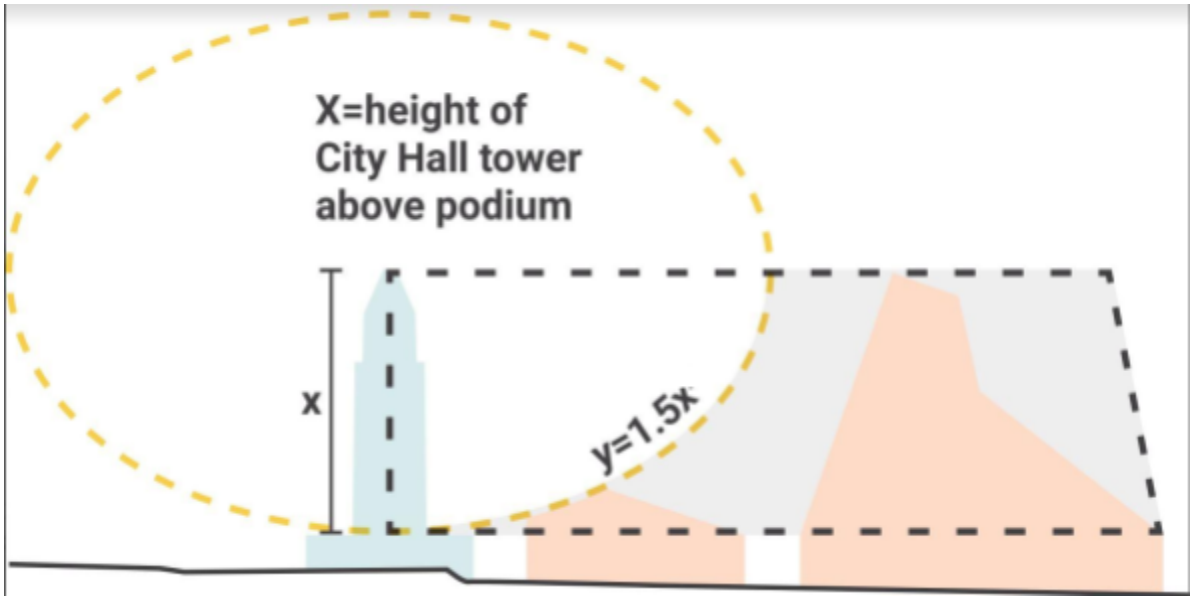
IV – I. Scale and Massing of New Development. New development in the Civic Center Subarea shall respect City Hall's prominence as the District's iconic building by complying with the following development standards:

A. Building Height

1. No portion of any building shall exceed the absolute height of Los Angeles City Hall.

2. In addition to the general height limit, buildings are subject to a height limit relative to their distance to City Hall's tower. Buildings shall not exceed an elliptical height plane as described by Figure 4 below. The elliptical height plane has a height-to-width ratio of one times City Hall's tower height by one and a half times said height.

Figure 4. Elliptical Height Plane.



IV – II. Transfer of Floor Area. Any owner(s) of a legally defined lot located within Subarea A may transfer unused permitted floor area to another legally defined lot within Subarea C, pursuant to the procedures of this section.

A. Floor Area. Total floor area in the Civic Center Subarea shall not exceed a ratio of 6.5:1. Individual sites within the subarea may exceed a floor area ratio of 6.5:1 through a transfer of floor area.

B. Limitation. Any project constructed with transferred floor area must comply with all regulations set forth in this Subarea.

C. Procedures. Projects seeking the transfer of unused permitted floor area, within the floor area cap, shall apply for an Administrative Clearance pursuant to the provisions of Section I-6 C.2 of this CPIO.

APPENDIX A – ENVIRONMENTAL STANDARDS

OVERVIEW

As described in Section I-8 of the CPIO District, these Environmental Standards are included to implement the Mitigation & Monitoring Program included as part of the Downtown Community Plan update and reviewed in the Downtown Environmental Impact Report (Case No. ENV-2017-433-EIR), certified by the City Council.

In addition to Projects in Subareas that are required to comply with these Environmental Standards, any other discretionary project in the boundaries of the Downtown Community Plan Area that seeks to rely on the Downtown EIR for its CEQA clearance (including through tiering, preparing an addendum, supplemental EIR or a statutory infill exemption), may incorporate or impose the following Environmental Standards on the project. Compliance may be achieved through covenant, conditions, plan notations, or other means determined reasonably effective by the Director of Planning or the decision-maker.

[MITIGATION MEASURES / ADDITIONAL ENVIRONMENTAL STANDARDS FORTHCOMING]