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March 30, 2023

Los Angeles City Council  
c/ o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**PLUM COMMITTEE CONSIDERATION ITEMS FOR THE PROPOSED DOWNTOWN LOS ANGELES COMMUNITY PLAN AND PROPOSED DRAFT OF THE NEW ZONING CODE; CF 22-0617; CASE NO. CPC-2017-432-CPU; CPC-2014-1582-CA; ENV-2017-433-EIR**

This report includes, for City Council consideration, optional modifications (Council Modifications) to CPC's recommendations on the proposed ordinances of the Downtown Community Plan Update and the New Zoning Code transmitted to the City Council on September 27, 2022. These items are in addition to the optional modifications outlined in the Director of Planning's Memo to the PLUM Committee, dated September 2022 (Exhibit F.6). Optional Council Modifications are organized by topic. Additions to a proposed ordinance are indicated by underlined text and deletions to a proposed ordinance are indicated by ~~striketrough~~. The Planning Department requests the authority to make the following changes as the City Attorney's Office completes its review of the proposed Downtown Community Plan and New Zoning Code (Proposed Project) for form and legality, and further asks that the City Attorney's Office be requested to incorporate those changes into the final draft of the Proposed Project.

The optional modifications and technical refinements to the Proposed Project, described below, were considered for their potential to cause additional environmental impacts beyond those analyzed in the Proposed Project’s Draft Environmental Impact Report (EIR). The modifications do not result in “significant new information,” as defined by Guidelines Section 15088.5, requiring recirculation of the Draft EIR. Specifically, none of the modifications and refinements result in a new significant impact or a substantial increase in the severity of an environmental impact analyzed in the Draft EIR.

## **Table of Contents**

<b>I. Additional Items for Consideration by the PLUM Committee</b>	<b>3</b>
R. Zoning Map Database and Section Guide Maps	3
S. Garment & Accessory use in Joint Live Work Quarters in IX4	4
T. Buildable Area Calculations for 100% Affordable Housing Projects	5
U. Project Review Thresholds	6
V. Council Authorization: New Zoning Code Intent and Applicability Statement Revisions	8
W. New Zoning Code Technical Modifications	9
Wi. New Zoning Code Entry Feature Clarifications	18
Wii. New Zoning Code Recycling Collection Use Edits	23
Wiii. New Zoning Code Motor Vehicle Services	25
Wiv. New Zoning Code Use Applicability & Related Standards Clarifications	35
Wv. New Zoning Code Use Permissions for Certified Farmers’ Markets	37

# **I. Additional Items for Consideration by the PLUM Committee**

## **R. Zoning Map Database and Section Guide Maps**

The City Planning Commission (CPC) at its meeting on September 23rd, 2021, voted unanimously to recommend approval of the Proposed Plan and Proposed Draft of the Zoning Code, with a few modifications.

There have been a few updates to the ArcGIS mapping technology since the Downtown Community Plan was recommended for approval by the CPC. The modification to Exhibit D.2 of the Downtown Community Plan reflects more current ArcGIS technology practices, is more user friendly and provides easy access to the public.

The modifications to Exhibit D.2 and Exhibit C.4 serve to correctly reference the Downtown Community Plan case numbers.

The proposed modifications are as follows and remain consistent with the exhibits approved by the CPC.

### **OPTIONAL COUNCIL MODIFICATION R.1 - Zoning Map Database**

#### **R.1 Letter of Determination and transmittal to City Council's Planning and Land Use Management Committee, Exhibit D2 Zone Change Map and Matrices**

Modify Section 1 to read as follows:

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

Sec. 1. Section 12.04.B. of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown-upon portions of the zone map attached thereto and shown in the associated Geographic Information System Shapefile and geospatial data information and made a part of Article 2, Chapter 1, of the Los Angeles Municipal Code, so that such portions of the zoning map entitled "Downtown Plan Area," the accompanying diagrams and the Table for Section 1 attached hereto and incorporated herein by this reference.

Add Section 2 to read as follows:

Sec. 2. Sec.1.5.1.A.B. (Maintenance and Access) of Chapter 1A of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon portions of the zone map attached thereto and shown in the associated Geographical Information System Shapefile and geospatial data information and made part of Sec. 1.4.1.B.1.a. (Zoning Code Maps) of Chapter 1A of the Los Angeles Municipal Code, so that such portions of the zoning map entitled "Downtown Plan Area," the accompanying diagrams and the Table for Section 1 attached hereto and incorporated herein by this reference.

Modify Downtown Community Plan Section Maps to include the following text:

This map is a representation of the Downtown Plan Community Plan Area. The GIS Shapefile and geospatial data information is located in the Department of City Planning's Website.

### **OPTIONAL COUNCIL MODIFICATION R.2 - Section Guide Maps**

#### **R.2. Downtown Community Plan case number correction in Section Guide Maps of Exhibit D.2 and C.4**

Modify the Downtown Community Plan Section Guide Maps in Exhibit D.2 Zone Change Map and Matrices and Exhibit C.4 General Plan Land Use Change Maps and Matrices by including the following text change:

<p><del>CPC-1994-0213-CPU</del> CPC-2017-432-CPU; <u>CPC-2014-1582-CA</u></p>
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### **S. Garment & Accessory use in Joint Live Work Quarters in IX4**

#### **OPTIONAL COUNCIL MODIFICATION S.1 - Garment & Accessory for IX4 and Joint Live Work Quarters**

##### **S.1. New Zoning Code, Article 5 Use, SEC. 5B.7.2. Industrial-Mixed 4 (IX4)**

Modify Section 5B.7.2 of Article 5 of the Proposed New Zoning Code to read as follows, for the purpose of allowing for Garment and Accessory as part of workspace in residential units to Joint Living & Work Quarters:

Use	Permission	Use Standard	Specification
Joint Living & Work Quarters	P*	(see Residential)	
		<b>Designated work space:</b>	
		Work space area (min/max)	10%/50%
		Workspace uses	<ul style="list-style-type: none"> <li>• Office</li> <li>• Personal Services: General</li> <li>• Manufacturing, Light: General</li> <li>• Manufacturing, Light: Artistic &amp; Artisanal</li> <li>• Manufacturing, Light: <u>Garment &amp; Accessory</u></li> </ul>

## T. Buildable Area Calculations for 100% Affordable Housing Projects

### OPTIONAL COUNCIL MODIFICATION T.1 - Buildable Area Calculations for 100% Affordable Housing Projects

#### T.1. Downtown Community Plan Implementation Overlay (CPIO) District, Chapter II-VII.7

Modify Subsection 7 of Chapter II-VII of the Proposed Downtown CPIO to read as follows to allow 100% Affordable Housing projects in the Downtown Community Plan Area to utilize the Buildable Area Calculation:

**7. Buildable Area Calculation** As authorized by LAMC Chapter 1A, Sec. 2C.4.1. (Floor Area Ratio), for a 100 Percent Affordable Housing project in the Plan Area, or a p Project on a lot designated, in whole or in part, as Transit Core by the General Plan Land Use Map, Buildable Area shall be calculated as follows:

~~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, dividing the total floor area by the buildable area. Buildable area includes 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 Project must fully utilize the Local Affordable Housing Incentive Program pursuant to LAMC Chapter 1A 9.3.2 and the Public Benefits Incentives

Programs above and up to the subject site's ~~Maximum Bonus Floor Area Ratio~~ Bonus FAR (max), as outlined in LAMC Chapter 1A, Article 2 Form.

- B. A non-residential ~~p~~Project must fully utilize the Public Benefits Incentive Programs above up to the subject site's ~~Maximum Bonus Floor Area Ratio~~ Bonus FAR (max), as outlined in LAMC Chapter 1A, Article 2 Form.
- C. For the purposes of calculating required ~~r~~Restricted ~~a~~Affordable ~~u~~Units and ~~p~~Public ~~b~~Benefits, ~~f~~Floor ~~a~~Area and lot area shall be calculated using the total buildable area, as defined above, including the area between the exterior lot lines and the centerline of any abutting public right-of-way.

## U. Project Review Thresholds

### OPTIONAL COUNCIL MODIFICATION U.1–U.2 - Project Review Thresholds

In the CPC Recommended Draft of the Downtown Community Plan, projects participating in the Community Benefits Program have higher Project Review (Site Plan Review) thresholds than other projects, meaning a proposal can be relatively larger before triggering this review. This was to encourage more projects to participate in the Program, and incentivize them to provide benefits such as affordable housing. However, if the City Council adopts the Graduated Inclusionary system, all housing projects, regardless of whether they are participating in the Program, will be providing some amount of affordable housing. Therefore, extending the benefit of higher Project Review (Site Plan Review) thresholds to all projects would streamline housing projects in the Plan Area.

The following modifications would implement the above:

#### **U.1. New Zoning Code, Article 4 Development Standards, SEC. 4C.14.1.B.2. Development Review Standards**

##### 2. Development Review Threshold Package 2

##### a. Project Review Thresholds

When the applicable Development Standards District (Part 4B) specifies development review threshold package 2, development projects ~~participating in the community benefits program (Div. 9.3.)~~ having one or more of the characteristics listed below are subject to Sec. 13B.2.4. (Project Review). ~~Any development project that is not participating in the community benefits program is subject to development review threshold package 1:~~

- i. Any development project including a building or structure having a height of 500 feet or taller.
- ii. Any development project which adds at least 500,000 square feet of nonresidential floor area.

- iii. Any development project which adds at least 500 dwelling units.
- iv. Any development project that includes drive-through lanes which results in a net increase of 500 or more average daily trips.
- v. Any change of use which results in a net increase of 1,000 or more average daily trips.
- vi. Any one unit development with a floor area of 17,500 square feet or larger located in the Hillside Area Map (Sec. 1.4.4).

## **U.2. Downtown Community Plan Overlay (CPIO) District, Chapter II, Section II – VIII. 8.**

### ~~II – VIII. 8. Project Review Threshold.~~

~~For a Housing Development project fully utilizing the Local Affordable Housing Incentive Program pursuant to LAMC Chapter 1A 9.3.2 or a non-residential project receiving at least 1.0:1 FAR through any of the Public Benefits Incentive Programs above, the threshold for project review pursuant shall be Development Review Threshold Package 2 pursuant to LAMC Chapter 1A Section 4C.14.1.C.2.~~

### **Downtown CPIO District, Chapter Chapter IV, Civic Center Subarea, IV–I. On-Site Restricted Affordable Units.**

Within the boundaries of this CPIO Subarea, a minimum of fifty percent of all permitted and constructed residential units shall be on-site Restricted Affordable Units in the Deeply Low, Extremely Low, Very Low, Low, or Moderate.

- A. Of these Restricted Affordable Units, a minimum of fifty percent shall be restricted to lower income households, in the Deeply Low, Extremely Low, Very Low, or Low income categories.
- B. The minimum percentage of Restricted Affordable Units shall be maintained across all residential development of this CPIO Subarea and shall be calculated based on the total number of dwelling units permitted within this Subarea.
- C. Any individual Housing Development shall provide on-site Restricted Affordable Units greater than or equal to the rates outlined in Set G of LAMC Chapter 1A Section 9.3.2.B. The minimum number of Restricted Affordable Units shall be calculated based on the total final project dwelling unit count. ~~Projects developed in accordance with this section shall be eligible for the Project Review thresholds established under II – VIII.8~~

## **V. Council Authorization: New Zoning Code Intent and Applicability Statement Revisions**

### **OPTIONAL COUNCIL MODIFICATION V.1–V.3 - New Zoning Code Intent and Applicability Statement Revisions**

#### **V.1. New Zoning Code**

Authorize the Planning Department to revise all intent statements for consistency and clarity in order to support the ease of use and implementation of the new Zoning Code.

#### **V.2. New Zoning Code**

Authorize the Planning Department, in coordination with implementing departments, to revise applicability statements for consistency and clarity in order to support the ease of use and implementation of the new Zoning Code. Applicability statements are an important part of every zoning district standard in the new Zoning Code, found primarily in Articles 2 (Form), 3 (Frontage), 4 (Development Standards), 5 (Use), 6 (Density) and 8 (Specific Plans and Supplemental Districts).

Further edits are needed to:

- 1) Clarify to which portions/components of a lot, building, structure or activity, individual standards apply for each project activity (New Construction, Major Demolition, Lot Modification, Site Modification, Facade Modification, Use Modification, Temporary Use, Renovation, or Maintenance & Repair), and
- 2) Clarify relationship between applicability of standards and nonconforming provisions from Article 12 (Nonconformities)

#### **V.3. New Zoning Code**

Authorize the Planning Department, in coordination with implementing departments, to modify which project activities trigger various standards in the new Zoning Code. If, in the course of undertaking optional council modification V.2., the Planning Department identifies modifications to which standards should be triggered by individual project activities, the approval of this item would authorize the Planning Department to make those modifications.



## W. New Zoning Code Technical Modifications

### OPTIONAL COUNCIL MODIFICATION W.1–W.19 - New Zoning Code Technical Modifications

#### **W.1. New Zoning Code, Article 1 Introductory Provisions, SEC. 1.5.2.A.5. (Zoning of Annexed or Unzoned Land)**

Technical correction to reference a zone being applied in the Downtown Plan Area, and to more accurately carry over the provisions of Sec. 12.35 (Zoning of Annexed or Unzoned Areas) of Chapter 1 (General Provisions and Zoning).

Sec. 1.5.2.A.5. (Zoning of Annexed or Unzoned Land)

- a. All land or territory annexed to the City after the effective date of this Zoning Code (Chapter 1A) is automatically classified ~~[HV3-DF1-1][RG1-1L]~~ [LF2-WH1-5] [A1-1L] 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][RG1-1L]~~ [LF2-WH1-5] [A1-1L] 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 same~~ 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.

#### **W.2. New Zoning Code, Article 3 Frontage, SEC. 3C.5.1. Street-Facing Entrance**

Clarification on street-facing entrance spacing standards. Add language that specifies that there is a minimum amount of entrances required per linear feet of building frontage. This update clarifies that the required number of entrances on a building and that there must always be at minimum one entrance.

Sec. 3C.5.1.C. (Standards)

##### 1. General

Where street-facing entrances are required by the applied Frontage Districts, street-facing entrances shall be provided at a rate based on the maximum entrance spacing (Sec. 3C.5.1.C.2.) specified in the applied Frontage District. A minimum of one street-facing entrance shall always be provided.

To qualify as a street-facing entrance, building entrances shall meet the following standards:

- a. Located on the ground story facade.
- b. Provide both ingress and egress pedestrian access to the ground story of the building.
- c. Remain operable at all times. Access may be controlled and limited to residents or tenants.
- d. Shall not provide access directly to motor vehicle use areas, utility areas or fire stairs.
- e. The exterior door surface shall be angled between 0 to 60 degrees, measured parallel to the frontage lot line or the door shall have direct access from an entry feature allowed by the applied Frontage District (Part 3B) having a pedestrian access point which faces the frontage lot line.
- f. On a corner lot or a lot with a Dual Frontage District (Div. 3B.8.) applied, having intersecting frontage lot lines, an entrance facing both intersecting frontage lot lines and angled between 30 to 60 degrees, measured parallel to each of those frontage lot lines, may be used to meet the requirement for a street-facing entrance along both frontages

## 2. Entrance Spacing

The distance between street-facing entrances meeting the standards of Sec. 3C.5.1.C.1. (Street-Facing Entrance General Standards).

### a. Measurement

Maximum entrance spacing is the greatest horizontal distance from edge of door to edge of door, and edge of door to edge of building, measured parallel to the frontage lot line.

i. The minimum number of street-facing entrances required for each frontage applicable facade is the frontage-applicable facade width divided by the maximum entry spacing requirement.

ii. Street-facing entrances shall not be separated by a distance greater than the maximum allowed entrance spacing.

iii. The maximum entrance spacing requirements shall be met for each building individually, but are not applicable to adjacent or abutting buildings.

iv. When the applied Frontage District specifies that a street-facing entrance is 'not required' but does specify a maximum entrance spacing, a street-facing entrance shall only be required if the building width along the indicated frontage lot line is greater than the specified entrance spacing. Street facing entrances shall then be required in accordance with the maximum entrance spacing requirement specified.

**W.3. New Zoning Code, Article 4 Development Standards, SEC. 4C.1.1.C.1.d Pedestrian Access Package 4**

To clarify that a minimum of one pedestrian accessway is required per lot, make the following change under “Site Access” in Sec. 4C.1.1.C.1.d. (Pedestrian Access Package 4)

Site Access	Sec. 4C.1.1.C.2.
Pedestrian accessway type	Linked
Pedestrian accessway spacing ( <del>max</del> ) (min)	1 per lot
Distance from street intersection (max)	n/a

**W.4. New Zoning Code, Article 4 Development Standards, SEC. 4C.4.5.C.2.b. Parking Lot Design, Parking Lot Landscaping Option 1 Standards**

Update of Parking Lot Tree Planting Standards to Reflect City Planning Commission (CPC)’s Direction. At its September 23, 2021 meeting, the CPC recommended approval of the Downtown Community Plan and new Zoning Code to the City Council, including approval of the Technical Modifications /Corrections to the Staff Recommendation Report. Item number 28 of Section E. (Modifications to Staff Report Exhibit C.1 (Proposed Zoning Code)) specified a correction to the number of trees required in surface parking lots to better align with the current Zoning Code requirements.

However, this approved modification was inaccurately transcribed into the September 27, 2022 CPC Recommendation Draft of the new Zoning Code transmitted to Council. To correct this error, update Sec. 4C.4.5.C.2.b. (Option 1: Prescriptive Standard) as follows to reflect CPC’s direction:

- i. Trees planted within a planting area located along a single row of parking stalls shall be provided at a rate of 1 large species tree or 2 small species trees for every ~~34~~ **4** parking stalls.
- ii. Trees planted between two rows of parking stalls shall be provided at a rate of 1 large species tree (Sec. 4C.4.4.C.3.a.) or 2 small species trees (Sec. 4C.4.4.C.3.a.) for every ~~68~~ **8** parking stalls.
- iii. ~~Trees planted between two rows of parking stalls shall be provided at a rate of 1 large species tree (Sec. 4C.4.4.C.3.a.) or 2 small species trees (Sec. 4C.4.4.C.3.a.) for every 6 parking stalls.~~

~~iv.~~ iii. Required trees shall be spaced evenly along the entire length of the required planting area.

**W.5. New Zoning Code, Article 4 Development Standards, SEC. 4C.6.4.C.2. Planting Areas**

Update Sec. 4C.6.4.C.2.a.iii to correct a typographical error as follows:

iii. Where planters are allowed to count toward planting area (See Sec. 4C.6.4.C.2.a.i.), planters located within 5 feet of the public right-of-way, and located entirely below the top of the ground story, shall not have drainage holes facing the public right-of-way.

**W.6. New Zoning Code, Article 4 Development Standards, SEC. 4C.10.1.C.2. Outdoor Lighting, Light Quantity Standards**

Remove conflicting provision from Sec. 4C.10.1.C.2.b as follows:

b. Any lot adjacent to a Special River Lot Line according to Sec. 14.1.11.E. (Special Lot Line) must meet the additional standards below:

i. All site and building mounted lighting shall be designed such that it produces a maximum initial luminance value no greater than 0.20 horizontal and vertical footcandles (2.15 lux) at the site boundary and no greater than 0.01 horizontal footcandles (0.11 lux) 15 feet beyond the site.

~~ii. All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen fixtures shall be fully shielded in such a manner as to not exceed the limitations in Sec. 4C.10.1.C.2.a. above.~~

iii. All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen lighting shall be in a fully shielded luminaire.

**W.7. New Zoning Code, Article 4 Development Standards, SEC. 4C.11.5.C.3. Sign Packages Standards, Sign Types Allowed**

Update legend so that the filled in circle says, "Sign type allowed" and the empty circle says, "Sign type not allowed" for consistency with permissions in Sec. 4C.11.6. (Sign Types).

**W.8. New Zoning Code, Article 4 Development Standards, SEC. 4C.11.6.C.11 Sign Types Standards, High-Rise Sign 2**

Modify the definition of High-Rise Sign 2 as follows to align the height threshold for a High-Rise 2 sign type with that of a High-Rise 1 sign type:

A sign located at least ~~420~~ 100 feet above grade and attached to the wall of a building.

**W.9. New Zoning Code, Article 4 Development Standards, SEC. 4C.11.6.C.12 Sign Type Standards, Wall Sign**

In order to clarify the distinction between wall signs and high rise signs, add a new standard under “General Standards” stating the following:

In Sign Package 1, Wall Signs located 100' above grade are not allowed with the exception of those meeting the standards of a High Rise 1 sign type. In Sign Package 2, Wall Signs located 100' above grade are not allowed with the exception of those meeting the standards of a High Rise 2 sign type.

**W.10. New Zoning Code, Article 5 Use, SEC. 5C.1.1.A. Use Definitions, Residential Uses, Dwelling**

Add the following clarifications to the definition of a Dwelling:

A. Dwelling:

Housing accommodations serving as a primary residency or having a tenancy of 30 consecutive days or more for a single household. Includes household dwelling unit, efficiency dwelling unit, accessory dwelling unit, junior accessory dwelling unit.

**W.11. New Zoning Code, Article 5 Use, SEC. 5C.1.2.B. Public & Institutional Uses, Civic Facility**

To increase clarity in the definitions of the Local and Regional Civic Facility Uses, make the following modifications:

B. Civic Facility

Any publicly-accessible facility that provides essential or cultural services and is owned, operated or in partnership with ~~by~~ a governmental ~~or community~~ organization. Includes post office, civic center, ~~community center~~, museum, and library.

1. Local

A publicly-accessible facility that provides essential or cultural services to a city or town and is owned, operated or in partnership with ~~by~~ a governmental ~~or community~~ organization. May include no more than 75 parking stalls to be considered a Civic, Local use. Includes post office, civic center, ~~community center~~, and branch library. For similar uses that include more than 75 parking stalls, see civic facility, regional (Sec. 5C.1.2.B.2.). For similar uses that are not publicly accessible see office (Sec. 5C.1.5.J.).

## 2. Regional

A publicly-accessible facility that provides essential or cultural services to a region and for display, preservation, or enjoyment of heritage, history, and the arts, or any municipal building which is owned, ~~operated or in partnership with~~ by a governmental ~~or community~~ organization and includes more than 75 parking stalls. Includes city hall, cultural center, main library, museum, and observatory. For similar uses that include fewer than 75 parking stalls, see civic facility, local (Sec. 5C.1.2.B.1.). For similar uses that are not publicly accessible, see office (Sec. 5C.1.5.1.).

### **W.12. New Zoning Code, Article 5 Use, SEC. 5C.2.5. Dependent on Adjoining Zoning (A- & A+)**

In order to clarify the interpretation of A- and A+ use permission levels, simplify implementation, and ensure a more nuanced application of the A- and A+ use permissions, modify the permission descriptions in Sec. 5C.2.5. (Dependent on Adjoining Zoning (A- & A+) as follows and delete Subsection 5C.2.5.C. (Use District in Order of Restrictiveness):

“When an A- or A+ permission level is indicated the use shall assume the same use permissions, use standards, supplemental standards, and any supplemental procedures required by a Use District applied to the zoning of an adjoining lot.

#### A. Dependent on Most Restrictive Adjoining Zone (A-)

##### 1. Uses assigned an A- permission level are regulated as follows:

- a. ~~The subject use shall be permitted, restricted, or disallowed according to the most restrictive set of~~ use permissions, use standards, supplemental standards, and supplemental procedures ~~of the most restrictive Use District applied to the zoning of an adjoining lot shall apply applied to the same use by the Use Districts of any adjoining lots.~~
- b. Any use that is not permitted in the most restrictive ~~Use District applied to the zoning of an adjoining lot~~ use permission ~~applied to the same use by the Use Districts of any adjoining lots~~ may be permitted by a Class 3 Conditional Use Permit. In addition to the other findings required by Sec. 13B.2.3. (Class 3 Conditional Use Permit), the City Planning Commission shall consider:
- c. How the use provides a public benefit, whether as a result of increased tax revenue or the provision of public facilities; and
- d. Whether the benefit is sufficient to outweigh any potential detriment to the public interest created by the proposed use of the land.

##### 2. Only joint public and private developments that are approved in accordance with the processes and procedures described in Sec. 13B.2.5. (Director Determination) shall be permitted when a use is assigned an A- permission level. No solely private developments are permitted when a use is assigned an A- permission level.

#### B. Dependent on Most Permissive Adjoining Zone (A+)

##### 1. Uses assigned an A+ permission level are regulated as follows:

- a. ~~The subject use shall be permitted, restricted, or disallowed according to the most permissive set of~~ use permissions, use standards, supplemental standards, and supplemental procedures ~~of the most~~

~~restrictive Use District applied to the zoning of an adjoining lot shall apply applied to the same use by the Use Districts of any adjoining lots.~~ The property owner shall also be entitled to the use permissions, use standards, supplemental standards, and supplemental procedures ~~in applied to that use by~~ any other single Use District of an adjoining lot.

- b. Any use that is not permitted in the most permissive ~~Use District applied to the zoning of an adjoining lot~~ use permission applied to the same use by the Use Districts of any adjoining lots may be permitted by a Class 3 Conditional Use Permit. In addition to the other findings required by Sec. 13B.2.3. (Class 3 Conditional Use Permit), the City Planning Commission shall consider:
  - i. How the use provides a public benefit, whether as a result of increased tax revenue or the provision of public facilities; and
  - ii. Whether the benefit is sufficient to outweigh any potential detriment to the public interest created by the proposed use of the land.
- c. Only joint public and private developments that are approved in accordance with the processes and procedures described in Sec. 13B.2.5. (Director Determination) shall be permitted when a use is assigned an A+ permission level. No solely private developments are permitted when a use is assigned an A+ permission level.

~~G. Use District in Order of Restrictiveness~~

~~For the purposes of this Section, the order of restrictiveness of Use Districts, the first being the most restrictive and the last being the least restrictive, is as follows:~~

- ~~1. Open Space 1 (OS1)~~
- ~~2. Agricultural 1 (A1)~~
- ~~3. Residential 1 (RG1)~~
- ~~4. Residential Mixed 1 (RX1)~~
- ~~5. Commercial Mixed 1 (CX1)~~
- ~~6. Commercial Mixed 2 (CX2)~~
- ~~7. Commercial Mixed 3 (CX3)~~
- ~~8. Commercial Mixed 4 (CX4)~~
- ~~9. Industrial Mixed 1 (IX1)~~
- ~~10. Industrial Mixed 2 (IX2)~~
- ~~11. Industrial Mixed 3 (IX3)~~
- ~~12. Industrial Mixed 4 (IX4)~~
- ~~13. Industrial 1 (I1)~~
- ~~14. Industrial 2 (I2)~~

**W.13. New Zoning Code, Article 10 Streets & Parks, SEC. 10.4.7. Affordable Housing Exemption**

Make the following edits to bring Sec. 10.4.7. (Affordable Housing Exemption) into closer alignment with the provisions in Sec. 12.33.G. (Affordable Housing Exemption) of Chapter 1 (General Provisions and Zoning) of the LAMC:

Sec. 10.4.7.B. B. For any restricted affordable housing unit qualifying for an exemption, a covenant acceptable to the Los Angeles Housing ~~and Community Investment~~ Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 55 years from the issuance of the Certificate of Occupancy or a longer period of time if

required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program. ~~For any restricted affordable housing unit qualifying for an exemption that has a recorded covenant with the Los Angeles Housing and Community Investment Department (HCID), the project will record a covenant with the Department of Recreation and Parks in order to be exempt from the required Park Fee.~~

**W.14. New Zoning Code, Article 12 Nonconformities, SEC. 12.5.1.C Use Exceptions, Use Not Allowed Exceptions**

Remove the entire sport court nonconforming section, as the sports court use and special use standards are no longer subject to special restrictions. Sport courts fall under other recreation uses, such as Recreation, Public and Outdoor Recreation, Commercial.

~~G. Sport courts legally existing prior to the October 27, 1978 (Ord. No. 151,466) may continue as a nonconforming development or in accordance with regulations existing at the time such use was established. These standards apply to any tennis or paddle tennis court which is accessory to a residential use and for which a permit is issued by the Department of Building and Safety subsequent to October 16, 1985, whether or not the subject of a variance. However, any replacement of lighting, fencing, or windscreens for such courts taking place after October 16, 1985, shall fully conform to the sport court standards in Sec. 4C.7.2. (Side/Rear Yard Fences & Walls).~~

**W.15. New Zoning Code, Article 13 Administration, SEC. 13A.1.7.D.2. (Zoning Administrator Interpretation)**

Clarify that Sec. 13A.1.7.D.2.d. is only applicable to Chapter 1 (General Provisions and Zoning) of the LAMC with the following modification:

- d. For lots subject to Chapter 1 (General Provisions and Zoning), in no instance, however, shall the Zoning Administrator determine, nor shall these regulations be so interpreted, that a use may be permitted in a zone when that use is specifically listed as first permissible in a less restrictive zone.

**W.16. New Zoning Code, Article 13 Administration, SEC. 13B.1.4.D.4.d. City Council Action (On Both City and Applicant Initiated Zone Changes)**

To clarify that Sec. 12.32.G. (Special Zoning Classifications) of Chapter 1 does not apply to Chapter 1A, modify Sec. 13.B.1.4.D.4.d.i. as follows:

- d. As part of any proposed Zone Change, the City Council may:
  - i. Impose a Special Zoning Classification pursuant to Sec. 12.32 G. (Special Zoning Classifications) of Chapter 1 (General Provisions and Zoning) if the parcel is zoned with a Chapter 1 zone per Sec. 12.04 (Zones - Districts - Symbols), or
  - ii. Approve changes to the parking requirements not to exceed 20% of the requirements otherwise required by this Code.



**W.17. New Zoning Code, Article 13 Administration, SEC. 13B.1.4.D.6. (Changes incident to Division of Land**

To clarify how the following section would apply to Chapter 1A (Los Angeles Zoning Code), make the following modifications:

a. In the subdivision of an area, it may be determined by the Planning Commission that the zones or height districts, as shown on the zoning map, do not conform to the best subdivision and use of the land.

i. For lots subject to Chapter 1 (General Provisions and Zoning), ~~t~~The City Council may, upon the recommendation of the Planning Commission, authorize within the boundaries of the area being subdivided the appropriate adjustment of zone or height district boundaries or the reclassification of the area into a more restrictive zone or height district where the zone or height district is consistent with the General Plan. The City Council shall have the authority to make changes without the Planning Commission holding a public hearing on the adjustment.

ii. For lots subject to Chapter 1A (Los Angeles Zoning Code), the City Council may, upon the recommendation of the Planning Commission, authorize within the boundaries of the area being subdivided the appropriate adjustment of zone boundaries or the reclassification of the area into a zone, consistent with the General Plan, with 1) a Form District that results in less allowable floor area, based on its maximum bonus floor area ratio or the maximum base floor area ratio if the Form District does not establish a bonus floor area ratio, or 2) a Density District which results in a lower number of household dwelling units.

b. The Planning Commission shall make no recommendation to the City Council, except upon written application made by the owner of the land being subdivided.

c. Notice of a public hearing on any Zone Change incident to division of land to a less restrictive zone for lots subject to Chapter 1 (General Provisions and Zoning), or to a different corresponding Form District or Density District for lots subject to Chapter 1A (Los Angeles Zoning Code) per Sec. 13B.1.4.D.6.a. above shall be included in the notice for the division. The notice shall conform to the procedures for Zone Change notification, and the subdivision and Zone Change hearings shall be held concurrently. Appeal procedures shall conform to those required for Zone Changes as set forth in this Section.

**W.18. New Zoning Code, Article 14 General Rules & Definitions, SEC. 14.1.6.D. Facing, Street-Facing Facade**

The concept of street facing facades is intended to describe building facades that are clearly visible from the public right-of-way. To capture facades facing areas involving other forms of pedestrian and vehicular circulation, such as active alleys and equine trails, edit Sec. 14.1.6. (Facing) to include building facades facing special lot lines in the definition of street-facing facade:

The portions of any frontage applicable facade (Sec. 3A.2.2.C.2.) having no permanent structure located between the building facade and a street lot line or special lot line.

**W.19. New Zoning Code, Article 14 General Rules & Definitions, SEC. 14.1.7.A.1. Floor Area Measurement**

To facilitate expanded citywide waste receptacle enclosure requirements, add an exception for waste receptacle enclosures, allowing them to not count toward the calculation of floor area:

c. The following are not included in the calculation of floor area:

- i. Exterior walls.
- ii. Bicycle parking areas.
- iii. All automobile parking areas, except for RL Use Districts, as specified in Sec. 14.1.7.A.2.
- iv. Spaces with ceiling heights less than 7 feet measured from finished floor, including floored attic space.
- v. Basements (Sec. 14.1.18.B.) or underground structures, such as underground parking and cellars with the exception of Indoor Storage, Self Service use areas.
- vi. Stairways and elevator shafts.
- vii. Mechanical equipment that is integral or incidental to the operation of on-site buildings, provided that the equipment does not serve any off-site buildings.
- viii. Waste receptacle enclosures dedicated to waste receptacles that are integral or incidental to the operation of on-site buildings, provided that the waste receptacles do not serve any off-site buildings.

## **Wi. New Zoning Code Entry Feature Clarifications**

### **OPTIONAL COUNCIL MODIFICATION Wi.1. - Entry Feature Clarifications**

**Wi.1. New Zoning Code, Article 3 Frontage, SEC. 3C.5.2. Entry Feature**

Create “Clear Depth,” “Clear Width,” “Transparent Area Height,” and “Transparent Area Width” standards to clarify the requirements for the different entry feature types found in Sec. 3C.5.2. (Entry Features). This revision entails adding the

standards to the entry feature tables, modifying language in the Measurement subdivision (Sec.3C.5.2.D.), and adding definitions for “clear depth”, “clear height,” and “occupiable space” to the Glossary in Article 14.

Sec. 3C.5.2.C. Standards

a. Porch

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min) <i>Measured from building facade</i>	4.5'
<u>Clear</u> Width (min)	<del>30%</del> 12'
<u>Clear Height</u> (min)	<u>7.5'</u>
Covered area (min)	100%
Finished floor elevation (min/max)	2'/5'
Enclosure (min)	50%

b. Raised Entry

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min) <i>Measured from building facade</i>	3'
<u>Clear</u> Width (min)	4'
<u>Clear Height</u> (min)	<u>7.5'</u>
Covered entrance (min)	Required
Finished floor elevation (min/max)	2'/5'
Enclosure (min)	50%

c. Forecourt

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min) <i>Measured from building facade</i>	8'
<u>Clear</u> Width (min)	10' / 15'
<u>Clear Height</u> (min)	<u>Open to sky</u>
Covered entrance (min)	Required
Finished floor elevation (min/max)	<del>-2'</del> 2'
Fence or wall height (min/max)	2.5'/4'

d. River Yard

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min)	15'
<u>Clear</u> Width (min)	15'
<u>Clear Height</u> (min)	<u>Open to sky</u>
<u>Finished floor elevation (min/max)</u>	<del>-2'</del> 2'
Fence or wall height (min/max)	6'

e. Recessed Entry

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min)	3'/15'
<u>Clear</u> Width (min)	5'
<u>Clear Height</u> (min)	<u>7.5'</u>
Covered area (min)	Required
Finished floor elevation (min/max)	<del>-2'</del> 2'
Enclosure (min)	75%

f. Covered Entry

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear Height</u> (min)	<u>7.5'</u>
Covered entrance	Required
Finished floor elevation (min/max)	-2'1/2'
Enclosure (min)	50%

g. Storefront Bay

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
Transparency (min)	90%
<u>Transparent Area</u> Width (min)	8'
<u>Transparent Area</u> Height (min)	9'
<u>Covered entrance</u>	<u>Required</u>
Finished floor elevation (min/max)	-2'1/2"
Fence or wall height (max)	0'

h. Market Stall

DIMENSIONAL STANDARDS	Sec. 3.C.5.2.D.
<u>Clear</u> Depth (min)	<u>10'</u>
<u>Clear</u> Width(min)	6'
<u>Clear Height</u> (min)	9'
Finished floor elevation (min/max)	-2'1/2'
Fence or wall height (max)	0'

Sec. 3C.5.2.D. Measurement

1. General

- a. Entry feature is measured as provided or not provided for each required street-facing entrance based on whether the design of a street-facing entrance meets the standards of an allowed entry feature specified by the applied *Frontage District (Part 3B)*.
- b. For the purpose of complying with entry feature standards, outdoor spaces like landings and yards required by an entry feature count as occupiable space.

2. Clear Depth

~~Minimum~~ Clear depth is measured as the shallowest horizontal dimension where the occupiable area immediately abutting or surrounding each required street-facing entrance, measured perpendicular from the applicable ~~frontage lot line~~ building facade to the interior of the occupiable area.

3. Clear Width

- a. ~~When specified in feet,~~ Clear width is measured as the narrowest horizontal dimension of the occupiable ~~exterior~~ area immediately abutting or surrounding each required street-facing entrance, measured parallel to the applicable street lot line.
- ~~b. When specified as a percentage, width is measured as the total width of the entry feature divided by the total width of the building that the entry provides access to, measured parallel to the applicable street lot line. For measuring building width, see Sec. 2C.6.1.D. (Building Width Measurement).~~
- ~~c. Where a minimum width and height are specified, the entry feature standards shall be met for a rectangular portion of a facade having a width no less than the minimum width and a height no less than the minimum height.~~
- ~~d. Where a minimum width and depth are specified, the entry feature standards shall be met for a rectangular area of occupiable space having a width no less than the minimum width and a depth no less than the minimum depth.~~

4. Clear Height

- a. Clear height is measured vertically at the shortest point between the finished floor elevation or the finished grade of the occupiable area immediately abutting or surrounding each required street-facing entrance to the bottom ~~top~~ of the surface of any solid overhead structure ~~facade area meeting the applicable entry feature standards or the clear height of creating covered space within the occupiable exterior area. immediately abutting the associated street-facing entrance, whichever is shortest.~~
- b. Where a minimum clear height is specified as 'open to sky', the occupiable area immediately abutting the each required street-facing entrance shall be uncovered.
- ~~b. Where a minimum width and height are specified, the entry feature standards shall be met for a rectangular portion of a facade having a width no less than the minimum width and a height no less than the minimum height.~~

5. Covered Entrance

- a. When required as a part of an entry feature; a canopy, roof or other sheltering structure shall cover the occupiable exterior area immediately abutting the associated street-facing entrance.
- b. The minimum depth of the covered area shall be the clear height of the covered area divided by 3.
- c. The minimum width of the covered area shall be the clear height of the covered area divided by 2.

6. Covered Area  
Covered area is measured as the occupiable area of an entry feature that is covered by a canopy, roof or other sheltering structure, divided by the total occupiable entry feature area. For the measurement of covered area, see Sec. 14.1.2. (Covered Area (%)).
7. Finished Floor Elevation  
Finished floor elevation is measured from the average sidewalk grade along the adjacent sidewalk to the top of the finished floor surface or ground surface of the entry feature. Where no sidewalk exists within 10 feet of the entry feature, finished floor elevation is measured from the average finished grade within 5 feet of the entry feature, measured perpendicular to the entry feature area.
8. Transparency  
Transparency is measured as a percentage calculated as ground story transparency only for the portion of ground story facade area within the required Transparent Area Height and Transparent Area Width surrounding each required street-facing entrance ~~for the portion of ground story facade area abutting the entry feature.~~ For the measurement of ground story transparency, see Sec. 3C.4.1.D.1. (Ground Story).
9. Transparent Area Height  
Transparent area height is measured vertically from the top of the finished floor of the ground story to the shortest height of the transparent area provided.
10. Transparent Area Width  
Transparent area width is measured horizontally from the outer edges of the transparent area provided along the narrowest width.
11. Enclosure  
For the measurement of enclosure, see Sec. 14.1.4 (Enclosure)
12. Fence or Wall Height  
Fence or wall height is measured according to Sec. 4C.7.1.D. (Measurement)

## **Wii. New Zoning Code Recycling Collection Use Edits**

### **OPTIONAL COUNCIL MODIFICATION - Wii.1. Recycling Collection Use Edits**

#### **Wii.1. New Zoning Code, Article 5 Use, DIV. 5B.3. Residential Districts; DIV. 5B.4. Residential-Mixed Districts; Div. 5B.5 Commercial-Mixed Districts; Div. 5B.7. Industrial-Mixed Districts; Sec 5C.3.5 Use Standards, Building Separation**

Modify the Recycling Facilities Collection use permissions, use standards, and use specifications within all Residential (Div 5B.3.), Residential-Mixed (Div.5B.4.), Commercial-Mixed (Div. 5B.5.), and Industrial-Mixed (Div. 5B.7.) Use Districts to

more closely reflect the Chapter 1 version of the code. Add language for new “other buildings on site,” standard (Sec 5C.3.5):

Applicable Districts: RG1 (Sec 5B.3.1) and RX1 (Sec 5B.4.1)			
Recycling Facilities			
Collection	<p><b>G2*</b></p> <p><b>P*</b></p>	In conjunction with:	Public & Institutional use
		Area (max)	200 SF
		<del>Use separation</del>	
		<del>Building separation</del>	
		Agricultural, Residential, or Residential-Mixed Use District (min)	150'
		<del>Other buildings on site</del>	10'
		Relief	<b>C2</b>
		<del>Use setback</del>	
		Frontage lot line (min)	20'
		Common lot line (min)	40'
		Use enclosure	Covered and enclosed
		<del>Screening</del>	
		<del>Outdoor storage screen</del>	<del>S-Screen 2</del>
		Hours of operation (open/close)	7AM/7PM
		Supplemental standards	Sec. 5B.3.1.C.3
Supplemental procedures	Sec. 5B.3.1.D.1		



Applicable Districts: CX1 (Sec 5B.5.1), CX2 (Sec 5B.5.2), CX3 (Sec 5B.5.3), CX4 (Sec 5B.5.4), IX1 (Sec 5B.7.1), IX2 (Sec 5B.7.2), IX3 (Sec 5B.7.3), IX4 (Sec 5B.7.4)			
Recycling Facilities			
Collection	G2*  P*	In conjunction with:	Other allowed use
		Area (max)	200 600 SF
		<del>Use separation</del>	
		<del>Building separation</del>	
		Agricultural, Residential, or Residential-Mixed Use District (min)	450' 100'
		<del>Other buildings on site</del>	10'
		Relief	<b>C2</b>
		<del>Use setback</del>	
		<del>Frontage lot line (min)</del>	20'
		<del>Common lot line (min)</del>	40'
		Use enclosure	Covered and enclosed
		<del>Screening</del>	
		<del>Outdoor storage screen</del>	<u>S-Screen 2</u>
		Hours of operation (open/close)	7AM/7PM
		Supplemental standards	Sec. 5B.4.1.C.3
Supplemental procedures	Sec. 5B.4.1.D.3		

### Wiii. New Zoning Code Motor Vehicle Services

#### OPTIONAL COUNCIL MODIFICATION Wiii.1. - Motor Vehicle Services

##### Wiii.1. New Zoning Code, Article 5 Use, Part 5B. (Use Districts), and Sec. 5C.1.6.A. (Motor Vehicle Services)

Modify how motor vehicle service uses are regulated to allow a more granular way to regulate motor vehicle uses by removing the “Motor Vehicle Services: General” use and replacing it with “Motor Vehicle Services: Light” and “Motor

Vehicle Services: Heavy” across all Use Districts in Part 5B. (Use Districts), and updating the corresponding Supplemental Standards in Part 5B. (Use Districts) and definitions within Sec 5C.1.6.A. (Motor Vehicle Services) accordingly. This modification provides a means to address environmental justice issues by allowing communities to prohibit noxious Motor Vehicle Services while still allowing neighborhood serving Motor Vehicle Services.

Update all Use Districts in Part 5B. (Use Districts) to maintain the same level of permission currently included in “Motor Vehicle Services: General” across both “Motor Vehicle Services: Light” and “Motor Vehicle Services: Heavy”, with the exception of the CX3 Use District (5B.7.3), CX4 Use District (5B.7.4), IX Use Districts (Div. 5B.7.) and the I Districts (Div. 5B.8.), which shall be updated as follows. The changes to these Districts reflect the edits proposed in items Q.23, Q.24 and Q.25 of Exhibit F.6 Director of Planning’s Memo to the PLUM committee. Additionally, remove the definition of “Motor Vehicle Services: General” and include definitions of “Motor Vehicle Services: Light” and “Motor Vehicle Services: Heavy” in Sec. 5C.1.6.A. (Motor Vehicle Services):

Sec. 5B.7.3. Commercial-Mixed 3 (CX3)

Heavy Commercial			
Motor Vehicle Services:			
<del>General</del>	<del>P*</del>	<del>Incidental To</del>	<del>Motor Vehicle Sales &amp; Rental use group</del>
<u>Light</u>	<u>P*</u>	<u>Incidental To</u>	<u>Motor Vehicle Sales &amp; Rental use group</u>
<u>Heavy</u>	<u>=</u>		

Sec 5B.7.4 Commercial-Mixed 4 (CX4)

Heavy Commercial			
Motor Vehicle Services:			
<del>General</del>	<del>P*</del>	<del>Incidental To</del>	<del>Motor Vehicle Sales &amp; Rental use group</del>
<u>Light</u>	<u>P*</u>	<u>Incidental To</u>	<u>Motor Vehicle Sales &amp; Rental use group</u>
<u>Heavy</u>	=		
Car Wash	P*		
Commercial Vehicle	P*	Incidental To	<u>Motor Vehicle Sales &amp; Rental use group</u>
Fueling Station	P*	Incidental To	<u>Motor Vehicle Sales &amp; Rental use group</u>

Sec. 5B.7.1. Industrial-Mixed 1 (IX1)

Heavy Commercial			
Motor Vehicle Services:			
General	P*	Use separation	
		<del>Sensitive Use</del>	<del>200'</del>
		<del>Agricultural, Residential, or Residential Mixed use District</del>	<del>200'</del>
		Use enclosure	Fully indoors
		Screening	
		<del>Frontage screen</del>	<del>F-Screen 3</del>
		<del>Transition screen</del>	<del>T-Screen 4</del>
		Hours of operation (open/close)	7AM/7PM
		Service hours (open/close)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental Standards	Sec. 5B.7.1.C.3
		Relief	G2
<u>Light</u>	P*	<u>Use separation</u>	
		<u>Sensitive Use</u>	<u>200'</u>
		<u>Agricultural, Residential, or Residential Mixed use District</u>	<u>200'</u>
		<u>Use enclosure</u>	<u>Fully indoors</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>

		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>
		<u>Service hours (open/close)</u>	<u>7AM/7PM</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
		<u>Supplemental Standards</u>	<u>Sec. 5B.7.1.C.3</u>
		<u>Relief</u>	<u>C2</u>
<u>Heavy</u>	--		
<u>Car Wash</u>	--		
<u>Fueling Station</u>	-		

Sec. 5B.7.2. Industrial-Mixed 2 (IX2)

<u>Heavy Commercial</u>			
<u>Motor Vehicle Services:</u>			
<u>General</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive Use</u>	<u>200'</u>
		<u>Agricultural, Residential, or Residential Mixed-use District</u>	<u>200'</u>
		<u>Use enclosure</u>	<u>Fully indoors</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>
		<u>Transition screen</u>	<u>T-Screen 4</u>
		<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>
		<u>Service hours (open/close)</u>	<u>7AM/7PM</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
		<u>Supplemental Standards</u>	<u>Sec 5B.7.1.C.2</u>
		<u>Relief</u>	<u>G2</u>
		<u>Sensitive Use</u>	<u>200'</u>

<u>Light</u>	<u>P*</u>	<u>Agricultural, Residential, or Residential Mixed use District</u>	<u>200'</u>
		<u>Use enclosure</u>	<u>Fully indoors</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>
		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>
		<u>Service hours (open/close)</u>	<u>7AM/7PM</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
		<u>Supplemental Standards</u>	<u>Sec 5B.7.1.C.2</u>
		<u>Relief</u>	<u>C2</u>
<u>Heavy</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive Use</u>	<u>500'</u>
		<u>Agricultural, Residential, or Residential Mixed use District</u>	<u>500'</u>
		<u>Use enclosure</u>	<u>Fully indoors</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>
		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>
		<u>Service hours (open/close)</u>	<u>7AM/7PM</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
<u>Car Wash</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive Use</u>	<u>200'</u>
		<u>Agricultural, Residential, or Residential Mixed use District</u>	<u>200'</u>
		<u>Use enclosure</u>	
		<u>Car Wash, mechanized</u>	<u>Fully indoors</u>
		<u>Car Wash, self-service</u>	<u>Covered</u>
		<u>Screening</u>	

		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM/7PM
		Service hours (open/close)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental standards	Sec. 5B.7.2.C.3
		Relief	C2
Commercial Vehicle	--		
Fueling Station	P*	Use separation	
		Sensitive use	200'
		Agricultural, Residential, or Residential Mixed use District	200'
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Service hours (open/close)	
		Outdoor sound system	Prohibited
		Supplemental standards	Sec. 5B.7.2.C.4
		Relief	C2

Sec. 5B.7.3. Industrial-Mixed 3 (IX3) and Sec. 5B.7.4. Industrial-Mixed 4 (IX4)

Heavy Commercial			
Motor Vehicle Services:			
General	P*	Use separation	
		<u>Sensitive Use</u>	200'
		<u>Agricultural, Residential, or Residential Mixed use District</u>	200'
		Use enclosure	Fully indoors
		Screening	
		<u>Frontage screen</u>	F-Screen 3
		<u>Transition screen</u>	T-Screen 4
		<u>Hours of operation (open/close)</u>	7AM/7PM
		<u>Service hours (open/close)</u>	7AM/7PM
		<u>Outdoor sound system</u>	Prohibited
		<u>Supplemental Standards</u>	Sec. 5B.7.3.C.5
		<u>Relief</u>	C2
<u>Light</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive Use</u>	200'
		<u>Agricultural, Residential, or Residential Mixed use District</u>	200'
		<u>Use enclosure</u>	
		<u>Screening</u>	Fully indoors
		<u>Frontage screen</u>	F-Screen 3
		<u>Transition screen</u>	T-Screen 1
		<u>Hours of operation (open/close)</u>	7AM/7PM
		<u>Service hours (open/close)</u>	7AM/7PM
		<u>Outdoor sound system</u>	Prohibited
		<u>Supplemental Standards</u>	Sec. 5B.7.3.C.5
		<u>Relief</u>	C2
<u>Heavy</u>	--		
Car Wash	-		



Commercial Vehicle	--		
Fueling Station	-		

Sec. 5B.8.1. Industrial 1 (I1) and Sec. 5B.8.2. Industrial 2 (I2)

Heavy Commercial			
Motor Vehicle Services:			
General	P*	Use separation	200'
		Sensitive Use	200'
		Agricultural, Residential, or Residential Mixed use District	
		Use enclosure	Fully indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 4
		Hours of operation (open/close)	7AM/7PM
		Service hours (open/close)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental Standards	Sec. 5B.8.1.C.2
		Relief	G2
Light	P*	Use separation	
		Sensitive Use	200'
		Agricultural, Residential, or Residential Mixed use District	200'
		Use enclosure	Fully indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM/7PM
		Service hours (open/close)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental Standards	Sec. 5B.8.1.C.2

		<u>Relief</u>	<u>C2</u>
<u>Heavy</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive Use</u>	<u>500'</u>
		<u>Agricultural, Residential, or Residential Mixed use District</u>	<u>500'</u>
		<u>Use enclosure</u>	<u>Fully indoors</u>
		<u>Screening</u>	
		<u>Frontage screen</u>	<u>F-Screen 3</u>
		<u>Transition screen</u>	<u>T-Screen 1</u>
		<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>
		<u>Service hours (open/close)</u>	<u>7AM/7PM</u>
		<u>Outdoor sound system</u>	<u>Prohibited</u>
		<u>Supplemental Standards</u>	<u>Sec. 5B.7.2.C.2</u>
		<u>Relief</u>	<u>C2</u>
		<u>Car Wash</u>	<u>P*</u>
<u>Sensitive Use</u>	<u>200'</u>		
<u>Residential or Agricultural Use District</u>	<u>200'</u>		
<u>Use enclosure</u>			
<u>Car Wash, mechanized</u>	<u>Fully indoors</u>		
<u>Car Wash, self-service</u>	<u>Covered</u>		
<u>Screening</u>			
<u>Frontage screen</u>	<u>F-Screen 3</u>		
<u>Transition screen</u>	<u>T-Screen 1</u>		
<u>Hours of operation (open/close)</u>	<u>7AM/7PM</u>		
<u>Service hours (open/close)</u>	<u>7AM/7PM</u>		
<u>Outdoor sound system</u>	<u>Prohibited</u>		
<u>Supplemental standards</u>	<u>Sec. 5B.8.1.C.3</u>		
<u>Relief</u>	<u>C2</u>		
<u>Fueling Station</u>	<u>P*</u>	<u>Use separation</u>	
		<u>Sensitive use</u>	<u>200'</u>
		<u>Residential or Agricultural Use District (min)</u>	<u>200'</u>
		<u>Screening</u>	

		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Outdoor sound system	Prohibited
		Supplemental standards	Sec. 5B.8.1.C.4
		Relief	C2

Sec 5C.1.6.A Motor Vehicle Services

1. General Light

Any motor vehicle services use involving the mechanical or electrical repair, diagnosis, maintenance or servicing of non-commercial motor vehicles. Includes automotive emissions testing, electrical diagnostic, battery testing, and charging, tire removal, replacement, and repair, mechanical adjustment, oil change, lubrication, sound system, alarm service and installation, and window repair, ~~paint, and body work~~. Does not include car wash or fueling station.

2. Heavy

Any motor vehicle service use involving, auto body repair or rebuilding, painting, or servicing of non-commercial and commercial motor vehicles. Includes, the repair or rebuilding of a vehicle's frame, roof, doors, fenders, bumpers, hood, trunk, automobile painting, and electric vehicle battery reconditioning and replacement. Does not include a car wash or fueling station.

## Wiv. New Zoning Code Use Applicability & Related Standards Clarifications

### OPTIONAL COUNCIL MODIFICATION Wiv.1. - Use Applicability & Related Standards Clarifications

#### **Wiv.1. New Zoning Code, Article 5 Use, Sec. 5A.2.2.A. Use Applicability; Sec. 5A.2.2.D. Incidental Uses; Sec. 5C.3.1. Accessory To; Sec. 5C.3.13. In Conjunction With; Sec. 5C.3.14. Incidental To**

Modify Sec. 5A.2.2.A.1. as follows to clarify that no prohibited use is allowed in a Use District in addition to clarifying how conflicting use standards shall be reconciled and interpreted. Remove Sec. 5A.2.2.D. (Incidental To) as uses allowed incidentally in the new Zoning Code will be regulated by Sec. 5C.3.14. (Incidental To). Add clarifying language to Sec. 5C.3.1. (Accessory To), Sec. 5C.3.13. (In Conjunction With), and Sec. 5C.3.14. (Incidental To) as these use rules require multiple uses to occur together on a single lot:

Sec. 5A.2.2. (Use Applicability)

A. General

1. Most lots, operations, and facilities will contain more than one use. ~~No use that is not permitted by the Use District shall be allowed with the exception of incidental uses as established in Sec. 5A.1.2.A.4. (Incidental Uses).~~ Where more than one use occurs on the same lot or in the same operation or facility:
  - i. Allowed uses are specified by the applicable Use District in accordance with Div. 5C.2. (Use Permissions), and combinations of allowed uses are also permitted. Certain uses are allowed only as accessory to (per Sec. 5C.3.1.), incidental to (per Sec. 5C.3.14.), or in conjunction with (per Sec. 5C.3.13.) another use.
  - ii. If all proposed uses are permitted by the applied Use District, but there are conflicts between the required use standards, the most restrictive of the use standards shall prevail, particularly where multiple uses overlap on the same portion of a lot or portion of a building.

~~Sec. 5A.2.2.D. (Incidental Uses)~~

- ~~1. A use may be allowed as an incidental use, provided the Zoning Administrator determines it is incidental to and directly associated with an allowed use.~~
- ~~2. The Zoning Administrator shall consider the following characteristics when determining whether a use is incidental to and directly associated with an allowed use:
  - a. The use is customarily associated with the permitted use;
  - b. The use is subordinate in both intent and size to the permitted use;
  - c. The use is located on the same lot as the permitted use;
  - d. The use is abutting, adjacent to, or integrated within the use area of the permitted use;
  - e. The impact of the use is not detrimental when compared to the impact of the permitted use.~~
- ~~3. Where a use standard specifies the use is allowed only when incidental to a specified use, the subject use may not be allowed incidental to any other use except the specified use. See Sec. 5C.3.14. (Incidental To) for more standards rules.~~

Sec. 5C.3.1. (Accessory To)

C. Standards

1. Uses that are accessory to a specified use shall not have a floor area greater than 25% of the floor area designated to the specified use.
2. Where the subject use is provided as accessory to the specified use or uses, but there are conflicts between the required use standards of the uses, the most restrictive of the use standards shall prevail, particularly where multiple uses overlap on the same portion of a lot or portion of a building.

Sec. 5C.3.13. (In Conjunction with)

C. Standards

1. The subject use shall be permitted on a lot, provided that the use it is required to be in conjunction with is located concurrently on the same tenant space or lot.
2. When a subject use is required to be in conjunction with a specified use, the specified use shall adhere to the minimum or maximum size requirements specified by the Use District.
3. Where the subject use is provided as in conjunction with the specified use or uses, but there are conflicts between the required use standards of the uses, the

most restrictive of the use standards shall prevail, particularly where multiple uses overlap on the same portion of a lot or portion of a building.

4. Where permitted as an exception, any subject use located within an adaptive reuse project shall not be required to meet the standards for in conjunction with

Sec. 5C.3.14. (Incidental To)

C. Standards

1. The subject use is only allowed as incidental to the specified use.
2. The subject use shall not be allowed incidental to any other use except for the specified use or uses.
3. Uses that are incidental to a specified use shall not have a floor area greater than the floor area designated to the specified use to which it is incidental.
4. Where the subject use is provided as incidental to the specified use or uses, but there are conflicts between the required use standards of the uses, the most restrictive of the use standards shall prevail, particularly where multiple uses overlap on the same portion of a lot or portion of a building.

## **Wv. New Zoning Code Use Permissions for Certified Farmers' Markets**

### **OPTIONAL COUNCIL MODIFICATION Wv.1. - New Zoning Code Use Permissions for Certified Farmers' Markets**

#### **Wv.1. New Zoning Code, Article 5 Use, Div. 5B.2. Agricultural Districts; Div. 5B.5. Commercial-Mixed Districts; Div. 5B.7. Industrial-Mixed Districts; Div. 5B.8. Industrial-Mixed Districts**

Modify applicable Use Districts to reflect the permissions in the Certified Farmers' Market Ordinance (No. 185,514). This Ordinance allowed for a by right process to permit Certified Farmers' Markets in the A, C and M zones of Chapter 1 of the LAMC (General Provisions and Zoning) if performance standards were followed.

To better reflect these permissions in the new Zoning Code, update the following Use Districts to modify the permission for Certified Farmers' Markets from C1\* (Class 1 Conditional Use with performance standards) to P\* (Permitted with performance standards): A1 (Sec 5B.2.1), CX1 (Sec 5B.5.1), CX2 (Sec 5B.5.2), CX3 (Sec 5B.5.3), CX4 (5B.5.4), IX1 (Sec 5B.7.1), IX2 (Sec 5B.7.2), IX3 (Sec 5B.7.3), I1 (Sec 5B.8.1), and I2 (Sec 5B.8.2).

Additionally, the Certified Farmers' Market Ordinance (No. 185,514) allows farmers markets to prepare the site for sales activities an hour prior to opening. To align with this standard, update the following Use Districts to modify the use standards for Certified Farmers' Markets, to extend Service hours from 8am-8pm to 6am-8pm, which is one hour longer than the 7am-7pm permitted Hours of Operation: OS1 (Se.5B.1.1.), A1 (Sec 5B.2.1.), RG1 (Sec.5B.3.1), and RG1 (Sec. 5B.4.1.).

Sincerely,

A handwritten signature in black ink, appearing to read 'Shana MM Bonstin', written in a cursive style.

Shana MM Bonstin  
Deputy Director

Signatory

Title

SMMB:XXX:xxx

Enclosures

Tab (It is not required that you list the enclosures)

c: Tab (Name, Title, Department (If other than Planning Department))