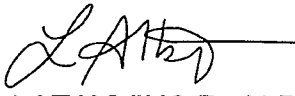


ANALYSIS

This ordinance amending Title 21 – Subdivisions and Title 22 – Planning and Zoning, of the Los Angeles County Code, to include the By-Right Housing Ordinance, which streamlines the approval of certain housing developments by utilizing a ministerial review process to allow them by-right in certain zones, where appropriate, in the unincorporated areas; clarifies how to determine the allowable density; deletes obsolete provisions; and amends existing references for internal consistency.

Very truly yours,

RODRIGO A. CASTRO-SILVA
County Counsel

By 
LATAYVIUS R. ALBERTY
Senior Deputy County Counsel
Property Division

LRA:ss

Requested: 07-15-2020

Revised: 02-23-2021

ORDINANCE NO. 2021-0010

An ordinance amending Title 21 – Subdivisions and Title 22 – Planning and Zoning, of the Los Angeles County Code, to include the By-Right Housing Ordinance, which streamlines the approval of certain housing developments by utilizing a ministerial review process to allow them by-right in certain zones, where appropriate, in the unincorporated areas; clarifies how to determine the allowable density; deletes obsolete provisions; and amends existing references for internal consistency.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 21.08.080 is hereby amended to read as follows:

21.08.080 Lease.

A. "Lease" means and includes an oral ~~as well as~~ or a written lease, tenancy at will, month-to-month or similar tenancy.

B. Title 21 shall not apply to ~~the leasing of apartments, offices, stores or similar space within an apartment building, industrial building, commercial building, mobilehome park or trailer park, except as provided in Section 21.08.090 nor shall this title apply to mineral, oil or gas leases~~ referred to in Subsection B of Section 21.08.090 (Lease Project).

SECTION 2. Section 21.08.090 is hereby amended to read as follows:

21.08.090 Lease project.

A. "Lease project" refers to a development wherein two or more residential, ~~or commercial, or industrial~~ buildings are constructed and maintained on a parcel of land, and apartments, offices, stores, or similar spaces are leased within one or more of

the buildings, with overall control of the land and buildings comprising the project being retained by the lessor. ~~The following~~ Accessory or satellite buildings and parking structures shall not be included when computing the number of buildings within a lease project:

- ~~1. Accessory or satellite buildings; and~~
- ~~2. Parking structures.~~

B. The term "lease project" does not refer to a ~~development of a parcel of land having less than twice the required area, as designated by the Zoning Ordinance set out at Title 22 of this code, or less than 10,000 square feet when the Zoning Ordinance has no designation.~~ the following:

1. Notwithstanding Subsection A, above:

a. The leasing of individual dwelling units, offices, stores, or similar spaces within one or more apartment houses, as defined in Section 22.14.130, commercial buildings, or industrial buildings; or

b. A development wherein two or more residential buildings containing no more than a total of four dwelling units, not including any accessory dwelling unit, constructed and maintained on a lot, if:

i. The development is located outside of a Hillside Management Area, as depicted in the General Plan, in its entirety; and

ii. The lot is:

(a) In Zones R-2 or R-3;

(b) Outside of a Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety;

(c) Outside of the Coastal Zone, as defined in Division 2 (Definitions) of Title 22, in its entirety;

(d) Outside of a Significant Ecological Area, as depicted in the General Plan, in its entirety;

(e) Outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety;

(f) Served by a public water system;

(g) Served by a public sewer system;

(h) Fronting a highway or a public street; and

(i) Of 15,000 net square feet or less;

2. The leasing of accessory dwelling units or junior accessory dwelling units;

3. The leasing of mobilehome parks or trailer parks;

4. The leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel; or

5. Mineral, oil, or gas leases.

C. To ensure compliance with this Section, lessors may be required to execute a covenant and agreement with the County at the discretion of the Director.

SECTION 3. Section 22.02.050 is hereby amended to read as follows:

22.02.050 Consistency with the General Plan.

A. General Plan Goals and Policies. Building permits may only be issued for developments and land uses that conform to the goals and policies of the General Plan, and any applicable Area, Community, or Neighborhood Plan.

B. Use. ~~Notwithstanding the current zone classification applicable to any lot, if that zone classification does not conform to the General Plan affecting the same lot, then~~Unless otherwise permitted by State law, building permits may be issued only for those land uses which are authorized by both the zone and the objectives, policies, and land uses specified in the General Plan that are allowed through zoning and deemed compatible with the general intended uses of the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan.

C. Density.

1. General. Except as specified otherwise in this Title 22, all proposed densities, not including dwelling units permitted by a density bonus awarded by any provisions in this Title 22, shall fit within the range of density specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan.

2. Maximum. Except as specified otherwise in this Title 22, the maximum density specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan shall be used to calculate the

maximum number of dwelling units permitted on a lot, not including dwelling units permitted by a density bonus awarded by any provisions in this Title 22.

D. Floor Area Ratio. Except as specified otherwise in this Title 22, all buildings subject to this Title 22 shall comply with the maximum floor area ratio specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan.

SECTION 4. Section 22.04.050 is hereby amended to read as follows:

22.04.050 Rules for Measurement.

The following rules for measurements shall apply:

A. Fractions.

...

2. ~~Dwelling Units~~Density. Where a density calculation results in a fractional number, the result shall be rounded up to the nearest whole number.

~~a. Rounding. When this Title 22 requires consideration of dwelling units and the result of a calculation contains a fraction of a whole number, the results shall be rounded down to the nearest whole number.~~

~~b. Exception. Calculations for dwelling units for projects subject to Chapter 22.120 (Density Bonus) shall comply with Section 22.120.100.A (Fractional Numbers).~~

...

SECTION 5. Section 22.06.020 is hereby amended to read as follows:

22.06.020 Suffixes to Zoning Symbols.

Notwithstanding Section 22.02.050.B (Density), ~~the~~ the letter "U," where used as a suffix to a zoning symbol, in combination with a numeral, shall designate the ~~required area per dwelling unit~~maximum density, not including dwelling units permitted by a density bonus awarded by any provisions in this Title 22, in terms of units per net acre. For example, ~~R-3-30U permits a maximum of 30 dwelling units per net acre.~~

SECTION 6. Section 22.14.010 is hereby amended to read as follows:

22.14.010 A.

...

Affordable housing and senior citizen housing. The following terms are defined for the purposes of Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), and Chapter 22.166 (Housing Permits):

...

Specific adverse impact. As defined in Section 65589.5(d)(2) of the California Government Code.

Supportive housing. As defined in section 50675.14 of the California Health and Safety Code.

...

SECTION 7. Section 22.18.030 is hereby amended to read as follows:

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

C. Use Regulations.

1. Principal Uses. Table 22.18.030-B, below, identifies the permit or review required to establish each principal use:

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Residential Uses							
...							
Multi-family housing ⁸							
Apartment houses	-	-	MCUP SPR ⁴ /CUP ⁵	SPR	SPR	SPR	
Townhouses	CUP	CUP	SPR ^{4, 9} /CUP ⁵	SPR ⁹	SPR ⁹	SPR ⁹	Section 22.140.600
Two-family residences	-	-	SPR	SPR	SPR	-	
...							
Notes:							
1. Use shall not authorize such accessory activities unless specifically classified in this zone.							
2. Use permitted where developed as an integral part of a building project and operated on a nonprofit basis for the use of surrounding residents. This provision shall not be interpreted to permit commercial enterprises.							
3. Minimum lot size is one acre where sheltered employment or industrial-type training is conducted.							
4. Where use is existing and legally non-conforming. The lot shall be: 1) outside of a Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety; 2) outside of the Coastal Zone, as defined in Division 2 (Definition), in its entirety; 3) outside of a Significant Ecological Area, as depicted in the General Plan, in its entirety; 4) outside of a Hillside Management Area, as depicted in the General Plan, in its entirety; 5) outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety; 6) served by a public water system; 7) served by a public sewer system; and 8) fronting a highway or a public street.							
5. Each unit shall have the required minimum lot area, but in no event shall the minimum lot area be less than 2,500 square feet. Where the lot does not meet the criteria specified in Note 4, above.							
6. Use shall be developed in compliance with Chapter 22.112 (Parking).							
7. Use excludes airports, heliports, and landing strips.							
8. Use may also be subject to Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits).							
9. No more than six townhouses shall be confined within a single building.							

...

SECTION 8. Section 22.18.060 is hereby amended to read as follows:

22.18.060 Development Standards and Regulations for Zone RPD.

A. Use Regulation.

1. Permitted Uses. Property in Zone RPD may be used for any use permitted in Zone R-1 under the same limitations and conditions; including auxiliary and transitional uses, front, side, and rear yards, garages and carports, and lot area requirements; and those provisions of Chapter 22.110 (General Site Regulations) which relate to Zone R-1.

2. Conditional Uses. A Conditional Use Permit (Chapter 22.158) application is required if the property in Zone RPD is to be used for a planned residential development, including a mobilehome park, subject to the approval by the Commission or Hearing Officer, ~~which will afford the same or lesser density of population or intensity of use than is specified in the zone, subject to~~ in which case Subsections B through G, below, shall apply.

...

C. Development Standards.

1. ~~Area~~ Size of Project Site.

...

2. Density. When property in Zone RPD is developed as a planned residential development, pursuant to Subsection A.2, above, the letter "U," where used as a suffix to a zoning symbol, in combination with a numeral, shall designate the

~~maximum density, not including dwelling units permitted by a density bonus awarded by any provisions in this Title 22, in terms of number of units for each per net acre of the net area shall be equal to the number preceding the letter "U" in the suffix to the zoning symbol. Chapter 22.120 (Density Bonus) and Chapter 22.166 (Housing Permits) shall apply to Zone RPD.~~

...

SECTION 9. The Section headings for Chapter 22.20 are hereby amended to read as follows:

Sections:

...

22.20.040 Development Standards for Commercial Zones.

22.20.050 Development Standards for Zones C-H, C-1, C-2, C-3, and C-M.

22.20.060 ~~Development Standards for Zone C-M~~Reserved.

...

SECTION 10. Section 22.20.030 is hereby amended to read as follows:

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B. PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Residential Uses								
...								
Joint live and work units ^{25, 27}	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	MCUP	SPR ¹⁸ / CUP ²⁶	-	Section 22.140.320
Mixed use developments ^{25, 27}	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	MCUP	SPR ¹⁸ / CUP ²⁶	-	Section 22.140.350
...								
Multi-family housing ²⁵								
Apartment houses	SPR ¹⁸ ²⁶ / MCUP ¹⁸ / CUP ²⁶	SPR ¹⁸ ²⁶ / MCUP ¹⁸ / CUP ²⁶	SPR ¹⁸ ²⁶ / MCUP ¹⁸ / CUP ²⁶	SPR ¹⁸ ²⁶ / MCUP ¹⁸ / CUP ²⁶	MCUP ¹⁸ / CUP	SPR ¹⁸ / CUP ²⁶	-	
Townhouses	SPR ¹⁸ ²⁸ / CUP ²⁶	SPR ¹⁸ ²⁸ / CUP ²⁶	SPR ¹⁸ ²⁸ / CUP ²⁶	SPR ¹⁸ ²⁸ / CUP ²⁶	CUP	SPR ¹⁸ ²⁸ / CUP ²⁶	-	Section 22.140.600
Two-family residences	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	CUP	-	-	
...								
Notes:								
...								
7. The use shall comply with the standards in Section 22.20.0650.B (Additional Development Standards for Zone C-M), if assembly and manufacturing would be part of industrial-type training.								
...								
18. When nonconforming in zones where the use is allowed with a Conditional Use Permit (Chapter 22.158), The lot shall be: 1) outside of a Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety; 2) outside of the Coastal Zone, as defined in Division 2 (Definition), in its entirety; 3) outside of a Significant Ecological Area, as depicted in the General Plan, in its entirety; 4) outside of a Hillside Management Area, as depicted in the General Plan, in its entirety; 5) outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety; 6) served by a public water system; 7) served by a public sewer system; and 8) fronting a highway or a public street.								
...								
26. When the use is an affordable housing development (Section 22.120.050) subject to an Administrative Housing Permit (Section 22.166.040) Where the lot does not meet the criteria specified in Note 18, above.								
27. Use is limited to developments with two or more attached dwelling units.								
28. No more than six townhouses shall be confined within a single building.								

...

SECTION 11. Section 22.20.040 is hereby amended to read as follows:

22.20.040 Development Standards for Commercial Zones.

...

B. Table 22.20.040-A, below, identifies the development standards for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

TABLE 22.20.040-A: DEVELOPMENT STANDARDS FOR COMMERCIAL ZONES				
Zone	Maximum Lot Coverage (net)	Maximum Height of Building or Structure	Street-fronting Yard Depth	Minimum Required Landscaping (net)¹
C-H, C-1	90%	35 feet	See Section 22.20.050.A	10% of the lot
C-2	90%	35 feet	N/A See Section 22.20.050.A	10% of the lot
C-3	90%	13x buildable area	N/A See Section 22.20.050.A	10% of the lot
C-M	90%	13x buildable area	N/A See Section 22.20.050.A	10% of the lot
C-MJ	90%	65 feet; 75 feet with CUP	See Section 22.20.070.B.3	10% of the lot
C-R	N/A	13x buildable area	N/A	N/A

Notes:
 1. Required landscaping shall consist of lawn, shrubbery, flowers, or trees and shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area. In Zone C-MJ, any lawn provided for required landscaping shall be drought-tolerant.

SECTION 12. Section 22.20.050 is hereby amended to read as follows:

22.20.050 Development Standards for Zones C-H, and C-1, C-2, C-3, and C-M.

~~A. Minimum Yard Depths for Zones C-H and C-1. In Zones C-H and C-1, the minimum front or corner side yard depths are:~~

~~1. Twenty feet where a lot fronts on a road classified as a major highway, secondary highway, or parkway; or~~

~~2. Equal to the front or corner side yard depth required on any contiguous Residential or Agricultural Zone where property adjoins a street.~~

~~B. Architectural Design for Zone C-1. In Zone C-1, the architectural design and general appearance of all such commercial buildings and grounds shall be in~~

keeping with the character of the neighborhood such as not to be detrimental to the public health, safety, and general welfare of the community in which such uses are located.

A. Required Yards. Except as specified otherwise, Table 22.20.050-A, below, identifies the minimum yard depths for various development types in Zones C-H, C-1, C-2, C-3, and C-M as follows:

TABLE 22.20.050-A: MINIMUM YARD DEPTHS FOR COMMERCIAL ZONES						
<u>Development Types</u>	<u>Zones</u>	<u>Front</u>	<u>Corner Side</u>	<u>Corner Side = Reversed Corner Lot</u>	<u>Interior Side</u>	<u>Rear</u>
<u>Non-residential</u>	<u>C-H and C-1</u>	a) 20 feet where a lot fronts on a road classified as a major highway, secondary highway, or parkway; or b) equal to the front or corner side yard depth required on any contiguous Residential or Agricultural Zone where the property adjoins a street. ¹			<u>N/A</u>	<u>N/A</u>
<u>Residential</u>	<u>C-H, C-1, C-2 and C-3</u>	<u>15 feet</u>	<u>5 feet</u>	<u>7.5 feet</u>	<u>5 feet ²</u>	<u>15 feet</u>
<u>Mixed Use</u>	<u>C-H, C-1, C-2, C-3 and C-M</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>See Section 22.140.350.A.6.h</u>	
<u>Notes:</u>						
1. Use the greatest distance if both apply.						
2. In Zone C-3, the minimum interior side yard depth is five feet where no building exceeds two stories in height, or five feet plus one foot for each story that exceeds two stories, except the maximum interior side yard depth is 16 feet.						

B. Additional Development Standards for Zone C-M. In Zone C-M, all uses listed under "Assembly and Manufacturing" and "Food Processing" within the Industrial Uses category in Table 22.20.030-B, above, shall comply with the following development standards:

1. All activities shall be conducted within an enclosed building; and
2. Uses shall be limited to assembly and manufacture from previously prepared materials, and excludes the use of drop hammers, automatic screw machines,

punch presses exceeding five tons' capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders, or metal cutters.

SECTION 13. Section 22.20.060 is hereby amended to read as follows:

22.20.060 Development Standards for Zone C-M~~Reserved~~.

~~In Zone C-M, all uses listed under "Assembly and Manufacturing" and "Food Processing" within the Industrial Uses category in Table 22.20.030-B, above, shall comply with the following development standards:~~

~~A. All activities shall be conducted within an enclosed building; and~~

~~B. Uses shall be limited to assembly and manufacture from previously prepared materials, and excludes the use of drop hammers, automatic screw machines, punch presses exceeding five tons' capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders, or metal cutters.~~

SECTION 14. Section 22.24.030 is hereby amended to read as follows:

22.24.030 Land Use Regulations for Rural Zones.

...

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	<i>C-RU</i>	<i>MXD-RU</i>	<i>Additional Regulations</i>
...			
Residential Uses			
...			
Joint live and work units ^{13, 14}	SPR	SPR	Section 22.140.320

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
...			
Mixed use developments, vertical or horizontal ^{13,14}			
...			
Notes:			
...			
14. Use is prohibited if any portion of the development is located within or on one of the following: 1) a Significant Ecological Area, as depicted in the General Plan; 2) a Very High Fire Hazard Severity Zone, as depicted in the General Plan; 3) an Airport Influence Area, as depicted in the General Plan; 4) land with a slope of 25 percent or more; 5) land not served by a public water system; or 6) land not served by a public sewer system.			

...

SECTION 15. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principal Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
	MXD	Additional Regulations
...		
Residential Uses		
...		
Joint live and work units ^{7,8}	SPR	Section 22.140.320
Mixed use developments with residential and commercial components ^{7,8}	SPR	
Multifamily housing ⁷		

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD			
		<i>MXD</i>	<i>Additional Regulations</i>
Apartment houses ²		SPR	
Townhouses ²		SPR	
Two-family residences ¹		SPR	
...			
Single-family residences ^{1, 7}		SPR	Section 22.140.580
...			
Notes:			
...			
8. Use is limited to developments with two or more attached dwelling units.			

...

SECTION 16. Section 22.52.030 is hereby amended to read as follows:

22.52.030 Land Use Regulations.

A.—Property in Zone ()-DP may be used for any use permitted in the basic zone, subject to the limitations and conditions of the approved Conditional Use Permit (Chapter 22.158) that incorporates an approved development program following:

BA. Non-Residential Uses.

1. Non-residential uses permitted in the basic zone are permitted in Zone ()-DP, subject to limitations and conditions of the approved Conditional Use Permit (Chapter 22.158) that incorporates an approved development program.

2. Any future non-residential development in an established Zone ()-DP shall require a Conditional Use Permit application with a proposed development program in conformance with this Chapter.

B. Residential Uses.

1. Residential uses permitted in the basic zone are permitted in Zone ()-DP, subject to limitations and conditions of the approved Conditional Use Permit (Chapter 22.158) that incorporates an approved development program.

2. Notwithstanding Subsection B.1. above, the same permit or review application and standards of the basic zone shall apply if the subject lot is:

a. Outside of a Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety;

b. Outside of the Coastal Zone, as defined in Division 2 (Definitions) of Title 22, in its entirety;

c. Outside of a Significant Ecological Area, as depicted in the General Plan, in its entirety;

d. Outside of a Hillside Management Area, as depicted in the General Plan, in its entirety; and

e. Outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety;

f. Served by a public water system;

g. Served by a public sewer system; and

h. Fronting a highway or a public street.

SECTION 17. Section 22.58.010 is hereby amended to read as follows:

22.58.010 Purpose.

The Commercial—Residential Zone, Zone ()-CRS, is established to create areas in Zone C-3 ~~for the combination of commercial and residential uses on the same property, subject to specific development standards or as approved by the Director. It is the intent of this Combining Zone to provide additional opportunities for housing development and to reduce transportation costs, energy consumption, and air pollution~~ where single-family residences shall be subject to the approval of a Minor Conditional Use Permit.

SECTION 18. Section 22.58.030 is hereby amended to read as follows:

22.58.030 Land Use Regulations.

Property in Zone ()-CRS may be used for the following uses:

A. Any permitted use or use subject to permit in Zone C-3, subject to the same permit or review application and standards; and

B. Notwithstanding Subsection A, above, ~~the following uses, in compliance with this Subsection B:~~ single-family residences shall be subject to a Minor Conditional Use Permit (Chapter 22.160) application.

1. ~~A Minor Conditional Use Permit (Chapter 22.160) application may approve:~~

a. ~~Any single-family residence, two-family residence, or apartment house; and~~

~~b. Commercial developments with residential uses, subject to Section 22.58.040 (Development Standards).~~

SECTION 19. Section 22.58.040 is hereby deleted in its entirety.

~~**22.58.040 Development Standards.**~~

~~A. Separation of Mixed Uses in Same Building. Commercial uses and residential uses shall not be established on the same floor, except that professional offices may be established on the same floor as residential uses, in accordance with the following:~~

~~1. Where professional offices and residential uses are located on the same floor, they shall not have common entrance hallways or entrance balconies, except for single story structures; and~~

~~2. Where professional offices and residential uses have a common wall, such wall shall be constructed to minimize the transmission of noise and vibration.~~

~~B. Parking.~~

~~1. Parking spaces shall be provided for all uses, in compliance with Chapter 22.112 (Parking).~~

~~2. Commercial and residential parking spaces shall be specifically designated by signage, striping, pavement marking, or physical separation.~~

SECTION 20. Appendix I of Chapter 22.104 is hereby amended to read as follows:

Chapter 22.104 Hillside Management Areas.

...

APPENDIX I HILLSIDE DESIGN GUIDELINES.

...

IV. FACTORS AFFECTING RESIDENTIAL DENSITY

Sensitive hillside design techniques can be used to achieve a better project design while still maintaining a desired number of dwelling units. The General Plan land use designation ("plan category") establishes the appropriate residential density range for a project, including the density maximum. However, there are a number of other factors that can affect the project's density, such as:

- Land division standards (minimum lot size, lot width, street frontage and access)
- Zoning designation (minimum lot size/lot area per dwelling unit)

...

SECTION 21. The Sections headings for Chapter 22.110 are hereby amended to read as follows:

Sections:

...

22.110.110 Relocation of Buildings and Structures.

22.110.120 Density Reserved.

22.110.130 Required Area and Width.

22.110.140 **Required Area or Width for Specific Circumstances.**

22.110.150 **Substandard Lots.**

...

SECTION 22. Section 22.110.120 is hereby amended to read as follows:

22.110.120 **Density Reserved.**

A. ~~Density Conversion Table for Residential Zones. Where the letter U is used in combination with a numeral to designate units per net acre, as provided in Section 22.06.020 (Suffixes to Zoning Symbols), Table 22.110.120 A, below, shall be used to determine the required lot area per dwelling unit on lots containing fractional parts of an acre. Nothing contained in this Section shall be deemed to modify required area as defined in Division 2 (Definitions) and as set forth in Section 22.110.130 (Required Area and Width).~~

TABLE 22.110.120 A: DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
<i>Dwelling Units per Net Acre</i>	<i>Lot Area per Dwelling Unit in sf</i>
1 U	43,560
2 U	21,780
3 U	14,520
4 U	10,890
5 U	8,712
6 U	7,260
7 U	6,223
8 U	5,445
9 U	4,840
10 U	4,356
11 U	3,960
12 U	3,630
13 U	3,354
14 U	3,114
15 U	2,904
16 U	2,723
17 U	2,562

TABLE 22.110.120-A: DENSITY CONVERSION TABLE FOR RESIDENTIAL ZONES	
<i>Dwelling Units per Net Acre</i>	<i>Lot Area per Dwelling Unit in sf</i>
18-U	2,420
19-U	2,293
20-U	2,178
21-U	2,074
22-U	1,980
23-U	1,894
24-U	1,815
25-U	1,742
26-U	1,675
27-U	1,613
28-U	1,556
29-U	1,502
30-U	1,452
31-U	1,405
32-U	1,361
33-U	1,320
34-U	1,281
35-U	1,245
36-U	1,210
37-U	1,177
38-U	1,146
39-U	1,117
40-U	1,089
41-U	1,062
42-U	1,037
43-U	1,013
44-U	990
45-U	968
46-U	947
47-U	927
48-U	908
49-U	889
50-U	871

B. ~~Zone R-3 Dwelling Unit Density.~~

1. ~~The maximum number of dwelling units per net acre for any residential use in Zone R-3 shall not exceed the number preceding the letter U specified~~

~~in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 30 units per net acre.~~

~~2. Subsection A, above, shall apply on lots containing fractional parts of an acre.~~

~~C. Zone R-4 Dwelling Unit Density.~~

~~1. The maximum number of dwelling units per net acre for any residential use in Zone R-4 shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Such required area per dwelling unit shall not exceed 50 units per net acre.~~

~~2. Subsection A, above, shall apply on lots containing fractional parts of an acre.~~

~~D. Zone R-5 Dwelling Unit Density.~~

~~1. The maximum number of dwelling units per net acre for any residential use in Zone R-5 shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Depending on the land use category in the General Plan prescribed for the property, such required area shall not exceed 100 or 150 units per net acre.~~

~~2. Subsection A, above, shall apply on lots containing fractional parts of an acre.~~

~~E. Zone C-MJ Maximum Density. In Zone C-MJ, if a project is located on property regulated by an area, community, or neighborhood plan, the maximum~~

~~residential density shall be determined as set forth in such plan. In all other cases, the maximum residential density for the project shall be 150 dwelling units per net acre.~~

~~F. Zone C RU Maximum Density. In Zone C RU, the maximum residential density is five dwelling units per net acre.~~

~~G. Zone MXD RU Maximum Density. In Zone MXD RU, the maximum residential density is five dwelling units per net acre.~~

~~H. Zone MXD Maximum Density. In Zone MXD, the maximum density for residential only and mixed use developments shall be 150 dwelling units per net acre.~~

SECTION 23. Section 22.110.130 is hereby amended to read as follows:

22.110.130 Required Area and Width.

A. Required Area. ~~Required area is established by the zone standards, suffixes to zoning symbols as provided in Section 22.06.020 (Suffixes to Zoning Symbols) and this Subsection A.~~ As used in this Title 22, "required area" means:

...

4. Where no number follows the zoning symbol and Subsection A.3.a.i or A.3.a.ii, above, does not apply, the required area is:

...

c. In Zones R-1, R-2, R-3-30U, R-4-50U, R-5, R-A, RPD, A-1, R-R, CPD, and M-3, the same as in Zone R-1-5000;

...

SECTION 24. Section 22.110.140 is hereby amended to read as follows:

22.110.140 Required Area or Width for Specific Circumstances.

A. Required Area – For a Housing Permit. Where a Housing Permit (Chapter 22.166) application for projects subject to Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing) is approved, lot area ~~or lot area per dwelling unit~~ requirements specified by said approval shall be deemed the required area ~~or required area per dwelling unit~~ established for the lot or the lots where approved.

...

~~I. Zones R-1, R-A, RPD, A-1, and A-2 – Required Area. No person shall use any main buildings or structures in Zones R-1, R-A, RPD, A-1, or A-2 unless the lot on which they are located has the required area as specified in this Chapter for each such building or structure. This provision shall not apply to accessory buildings or structures, senior citizen residences, or accessory dwelling units.~~

~~J. Zone R-2 – Restrictions.~~

~~1. Use Restrictions on Certain Undersized Lots. A person shall not erect, construct, occupy, use, alter, or enlarge more than one building or structure on any lot in Zone R-2 which has less than twice the required area, except:~~

~~a. Accessory buildings permitted in Zone R-2; or~~

~~b. A single family residence as specifically permitted by this~~

~~Chapter.~~

~~2. More Than One Building Per Lot Restrictions. A person shall not erect, construct, occupy, use, alter, or enlarge more than one building or structure per required area on any lot in Zone R-2, except:~~

~~a. Accessory buildings permitted in Zone R-2;~~

~~b. One single family residence, together with accessory buildings customary to such use permitted in Zone R-1, if there are no other buildings or structures thereon, may be used:~~

~~i. On a lot having the required area, or~~

~~ii. On an area equal to half the required area, but in no event less than 2,500 square feet; or~~

~~c. A two family residence, together with accessory buildings customary to such use permitted in Zone R-2, if there are no other buildings or structures thereon, may be used on a lot having the required area and an area not less than:~~

~~i. 4,000 square feet if no number follows the zoning symbol, or~~

~~ii. The area designated by the number following the zoning symbol.~~

SECTION 25. Section 22.110.150 is hereby amended to read as follows:

22.110.150 Substandard Lots.

...

B. Substandard Area or Width. A building or structure shall not be erected, constructed, altered, enlarged, occupied, or used in Zones R-1, ~~R-2, R-A, A-1, or A-2~~ on any lot which has less than the required area or the average width of which is less than the required width, ~~except that one single-family residence and such other structures as are permitted in Zone R-1 may be erected, constructed, altered, enlarged, occupied, and used on a lot in Zone R-2 the average width of which is not less than the required width and has an area of not less than 2,500 square feet.~~

SECTION 26. Section 22.120.050 is hereby amended to read as follows:

22.120.050 Affordable Housing.

A. Density Bonus. Except as specified otherwise, a housing development shall receive a density bonus in the amounts shown in Table 22.120.050-A, below, subject to an Administrative Housing Permit (Section 22.166.040), if it provides an affordable housing set-aside.

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES				
Set-Aside	Extremely Low Income (30% AMI) ¹	Very Low Income (50% AMI) ¹	Lower Income (80% AMI) ¹	Moderate Income (120% AMI) ¹
	Density Bonus	Density Bonus	Density Bonus	Density Bonus
5%	25%	20%	-	-
6%	30%	22.50%	-	-
7%	35%	25%	-	-
8%	40%	27.50%	-	-
9%	45%	30%	-	-
10%	55%	32.50%	20%	5%
11%	55%	35%	21.50%	6%
12%	55%	35%	23%	7%
13%	55%	35%	24.50%	8%

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES				
Set-Aside	Extremely Low Income (30% AMI) ¹	Very Low Income (50% AMI) ¹	Lower Income (80% AMI) ¹	Moderate Income (120% AMI) ¹
	Density Bonus	Density Bonus	Density Bonus	Density Bonus
14%	55%	35%	26%	9%
15%	60.50%	40.50%	27.50%	10%
16%	60.50%	40.50%	29%	11%
17%	60.50%	40.50%	30.50%	12%
18%	60.50%	40.50%	32%	13%
19%	60.50%	40.50%	33.50%	14%
20%	64%	44%	35%	15%
21%	64%	44%	35%	16%
22%	64%	44%	35%	17%
23%	64%	44%	35%	18%
24%	64%	44%	35%	19%
25%	67.50%	47.50%	38.75%	20%
26%	67.50%	47.50%	38.75%	21%
27%	67.50%	47.50%	38.75%	22%
28%	67.50%	47.50%	38.75%	23%
29%	67.50%	47.50%	38.75%	24%
30%	71%	51%	41.50%	25%
31%	71%	51%	41.50%	26%
32%	71%	51%	41.50%	27%
33%	71%	51%	41.50%	28%
34%	71%	51%	41.50%	29%
35%	74.50%	54.50%	44.25%	30%
36%	74.50%	54.50%	44.25%	31%
37%	74.50%	54.50%	44.25%	32%
38%	74.50%	54.50%	44.25%	33%
39%	74.50%	54.50%	44.25%	34%
40% - 44%	78%	58%	47%	35%
45% - 49%	81.50%	61.50%	49.75%	38%
50% - 54%	85%	65%	52.50%	40%
55% - 59%	88.50%	68.50%	55.25%	42%
60% - 64%	92%	72%	58%	44%
65% - 69%	95.50%	75.50%	60.75%	46%
70% - 74%	99%	79%	63.50%	48%
75% - 79%	102.50%	82.50%	66.25%	50%
80% - 84%	106% or as specified otherwise ₁	86% or as specified otherwise ₁	69% or as specified otherwise ₁	52%
85% - 89%	109.50% or as specified otherwise ₁	89.50% or as specified otherwise ₁	71.75% or as specified otherwise ₁	54%
90% - 94%	113% or as specified otherwise ₁	93% or as specified otherwise ₁	74.50% or as specified otherwise ₁	56%

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES				
Set-Aside	Extremely Low Income (30% AMI) ⁴	Very Low Income (50% AMI) ⁴	Lower Income (80% AMI) ⁴	Moderate Income (120% AMI) ⁴
	Density Bonus	Density Bonus	Density Bonus	Density Bonus
95% - 99%	116.50% <u>or as specified otherwise</u> ₁	96.50% <u>or as specified otherwise</u> ₁	77.25% <u>or as specified otherwise</u> ₁	58%
100%	120% <u>or as specified otherwise</u> ₁	100% <u>or as specified otherwise</u> ₁	80% <u>or as specified otherwise</u> ₁	60%

Notes:

1. The granting of density bonuses is subject to a Discretionary Housing Permit (Section 22.166.050), unless the housing development is one of the following, in which case an Administrative Housing Permit (Section 22.166.040) application is required:

- a. One of the following housing developments requesting a density bonus of up to 35 percent, if an affordable housing set-aside is provided, pursuant to this Table:
 - i. A housing development with a very low or lower income housing set-aside; or
 - ii. A common interest development with a moderate income housing set-aside.
- b. One of the following housing developments, if it meets the criteria for a California Environmental Quality Act exemption related to affordable or infill housing or proximity to transit, such as Sections 21159.23, 21159.24, or 21155-21155.3 of the California Public Resources Code:
 - i. A housing development with an extremely low income housing set-aside;
 - ii. A rental housing development with a moderate income housing set-aside;
 - iii. A single-family residential subdivision with a moderate income housing set-aside; or
 - iv. One of the following housing developments requesting a density bonus of more than 35 percent, if an affordable housing set-aside is provided, pursuant to this Table:
 - (a) A housing development with a very low or lower income housing set-aside; or
 - (b) A common interest development with a moderate income housing set-aside. A rental housing development shall receive the following density bonus, if it has: 1) at least 80 percent affordable housing set-aside for lower, very low, or extremely low income households, with the remaining baseline dwelling units, excluding a manager's unit or units, set aside for moderate income households; 2) rents for at least 20 percent of all dwelling units, including the density bonus units but excluding the manager's unit or units, set at an affordable rent as defined in section 50053 of the California Health and Safety Code; and 3) rents for all remaining units, excluding the manager's unit or units, set at an amount consistent with the maximum rent levels for a housing development that received an allocation of State or federal low-income tax credits from the California Tax Credit Allocation Committee:
 - a. Eighty percent of the number of dwelling units set aside for lower, very low, or extremely low income households; or
 - b. Any amount of density bonus units, if the rental housing development is located within 1/2 mile of a major transit stop, in which case such development:
 - i. Shall not receive any waivers or reductions of development standards provided in Section 22.120.090; and
 - ii. Is entitled to a height increase of up to three additional stories, or 33 feet, which is not counted toward the incentives provided in Subsection C (Incentives), below.

...

C. Incentives. A housing development shall receive a number of incentives in the amounts shown in Table 22.120.050-B, below, if it provides an affordable housing set-aside. The granting of an incentive is subject to an Administrative Housing Permit (Section 22.166.040), unless any of the findings in Section 22.166.040.C.1.a are made,

in which case a Discretionary Housing Permit (Section 22.166.050) application is required. The provision of direct financial incentives for a housing development, such as the fee exemption and reductions provided in Section 22.250.020.B (Fee Exemption and Reductions for Affordable Housing), subject to Chapter 22.120 (Density Bonus), shall not be counted toward the incentives provided in this Subsection C.

TABLE 22.120.050-B: AFFORDABLE HOUSING SET-ASIDES AND INCENTIVES				
Set-Aside	Extremely Low Income (30% AMI) ¹	Very Low Income (50% AMI) ¹	Lower Income (80% AMI) ¹	Moderate Income (120% AMI) ¹
	No. of Incentives	No. of Incentives	No. of Incentives	No. of Incentives
5%	3	1	-	-
6%	3	1	-	-
7%	3	1	-	-
8%	3	1	-	-
9%	3	1	-	-
10%	3	2	1	1
11%	3	2	1	1
12%	3	2	1	1
13%	3	2	1	1
14%	3	2	1	1
15%	3	3	1	1
16%	3	3	1	1
17%	3	3	1	1
18%	3	3	1	1
19%	3	3	1	1
20%	3	3	2	2
21%	3	3	2	2
22%	3	3	2	2
23%	3	3	2	2
24%	3	3	2	2
25%	3	3	2	2
26%	3	3	2	2
27%	3	3	2	2
28%	3	3	2	2
29%	3	3	2	2
30%- 99/9%	3	3	3	3
80%-99%	<u>3 or 4</u> ¹	<u>3 or 4</u> ¹	<u>3 or 4</u> ¹	<u>3</u>

TABLE 22.120.050-B: AFFORDABLE HOUSING SET-ASIDES AND INCENTIVES				
Set-Aside	Extremely Low Income (30% AMI) ¹	Very Low Income (50% AMI) ¹	Lower Income (80% AMI) ¹	Moderate Income (120% AMI) ¹
	No. of Incentives	No. of Incentives	No. of Incentives	No. of Incentives
100% ²	3 or 4 ¹	3 or 4 ¹	3 or 4 ¹	3

Notes:

- The granting of incentive(s) is subject to a Discretionary Housing Permit (Section 22.166.050), unless the findings specified in Section 22.166.040.C.1.a are satisfied and the housing development is one of the following, in which case an Administrative Housing Permit (Section 22.166.040) application is required:
 - A housing development with a very low or lower income housing set aside;
 - A common interest development with a moderate income housing set aside; or
 - One of the following housing developments, if it meets the criteria for a California Environmental Quality Act exemption related to affordable or infill housing or proximity to transit, such as Sections 21159.23, 21159.24, or 21155-21155.3 of the California Public Resources Code:
 - A housing development with an extremely low income housing set aside;
 - A rental housing development with a moderate income housing set aside; or
 - A single-family residential subdivision with a moderate income housing set aside. A rental housing development shall receive four incentives, if it has all of the following:
 - At least 80 percent affordable housing set-aside for lower, very low, or extremely low income households, with the remaining baseline dwelling units, excluding a manager's unit or units, set aside for moderate income households;
 - Rents for at least 20 percent of all dwelling units, including the density bonus units but excluding the manager's unit or units, set at an affordable rent as defined in section 50053 of the California Health and Safety Code; and
 - Rents for all remaining units, excluding the manager's unit or units, set at an amount consistent with the maximum rent levels for a housing development that received an allocation of State or federal low-income tax credits from the California Tax Credit Allocation Committee.
- A housing development may request an additional density bonus as an incentive in addition to the density bonus provided in Table 22.120.050-A, above, if the housing development includes a 100 percent affordable housing set-aside. The granting of an additional density bonus as an incentive is subject to a Discretionary Housing Permit (Section 22.166.050), unless both of the following are satisfied, in which case an Administrative Housing Permit (Section 22.166.040) application is required:
 - The findings specified in Section 22.166.040.C.1.a are satisfied; and
 - The housing development meets the criteria for a California Environmental Quality Act exemption related to affordable or infill housing or proximity to transit, such as Sections 21159.23, 21159.24, or 21155-21155.3 of the California Public Resources Code.

D. Additional Density Bonus or Incentive for Child Care Facility. Except as specified otherwise, a housing development shall receive either an additional density bonus or an additional incentive as shown in Table 22.120.050-C, below, if it provides an affordable housing set-aside pursuant to this Section and includes a child care facility.

TABLE 22.120.050-C: ADDITIONAL DENSITY BONUS OR INCENTIVE FOR CHILD CARE FACILITY ¹			
	<i>Eligibility</i>	<i>Additional Density Bonus</i> ^{2,1}	<i>Additional Incentive</i> ²
Child care facility ⁵	Affordable housing set-aside provided pursuant to this Section ^{3, 4}	Square footage of childcare facility	1
<p>Note:</p> <p>1. Housing developments can choose an additional density bonus or additional incentive, but not both. The granting of the additional density bonus is subject to an Administrative Housing Permit (Section 22.166.040).</p> <p>2. The granting of the additional density bonus or incentive is subject to an Administrative Housing Permit (Section 22.166.040), provided that unless any of the findings specified in Section 22.166.040.C.1.c are satisfied are made, in which case. If the additional density bonus or incentive does not meet such findings, a Discretionary Housing Permit (Section 22.166.050) application is required.</p> <p>3. The child care facility shall remain in operation for a period of time that is as long or longer than the period of time during which the density bonus units are required to remain affordable pursuant to this 22.120.050.B.1 (Duration of Affordability).</p> <p>4. The child care facility shall serve children of very low income households, lower income households and moderate income households at the same percentage(s), or greater, as the percentage(s) of dwelling units required for very low income households, lower income households and moderate income households pursuant to this Chapter.</p> <p>5. A covenant and agreement shall be recorded pursuant to Section 22.166.070.A.5 (Child Care Facilities).</p>			

SECTION 27. Section 22.120.080 is hereby amended to read as follows:

22.120.080 Parking.

Notwithstanding any contrary provisions in this Title 22, Table 22.120.080-A, below, identifies the parking ratios for projects subject to this Chapter:

TABLE 22.120.080-A: PARKING RATIOS ¹		
<i>Affordability and Project Type</i>	<i>Proximity to Transit</i>	<i>Number of Spaces</i> ²
100% rental housing affordable to lower, or very low, or extremely low income households ³		
<i>Senior citizen housing development</i>	With paratransit or within 1/2 mile of a fixed bus route ^{4, 5}	0.5 space per dwelling unit
<i>Special needs housing development</i>		0.3 space per dwelling unit No parking required
<i>Supportive housing development</i>	=	No parking required

TABLE 22.120.080-A: PARKING RATIOS ¹		
Affordability and Project Type	Proximity to Transit	Number of Spaces ²
<i>Other 100% rental housing affordable to lower, or very low, or extremely low income households</i>	Within 1/2 mile of a major transit stop ⁴	0.5 space per dwelling unit
At least 11% very low income housing set-aside		0.5 space per bedroom
At least 20% lower income housing set-aside		<u>0.5 space per bedroom</u>
Extremely low income dwelling units		No parking required for the extremely low income dwelling units only ⁶
All other projects subject to Chapter 22.120		0-1 bedroom: 1 space per dwelling unit 2-3 bedrooms: 2 spaces per dwelling unit 4 or more bedrooms: 2.5 spaces per dwelling unit
<p>Note:</p> <p>1. Except as specified otherwise, the use of parking ratios shown in this table is subject to an Administrative Housing Permit (Section 22.166.040). The use of such ratios shall not be counted toward incentives provided in Section 22.120.050 (Affordable Housing).</p> <p>2. Except as specified otherwise, parking ratios shall apply to the entire project. Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.</p> <p>3. All dwelling units, not including the manager's unit or units, and inclusive of density bonus units, are for lower, very low, or extremely low income households.</p> <p>4. A project shall have unobstructed access to a major transit stop or fixed bus route, if a resident is able to access the major transit stop or fixed bus route without encountering natural or constructed impediments.</p> <p>5. The fixed bus route shall operate at least eight times per day.</p> <p>6. Subject to a Discretionary Housing Permit (Section 22.166.050), unless the project meets the criteria for one of the California Environmental Quality Act exemptions related to affordable or infill housing or proximity to transit, such as Sections 21159.23, 21159.24 or 21155-21155.3 of the California Public Resources Code, in which case an Administrative Housing Permit (Section 22.166.040) application is required.</p>		

SECTION 28. Section 22.120.090 is hereby amended to read as follows:

22.120.090 Waivers or Reductions of Development Standards.

A. A project that is subject to this Chapter shall receive waivers or reductions of development standards, ~~as follows:~~ subject to an Administrative Housing Permit (Section 22.166.040), unless any of the findings specified in Section 22.166.040.C.1.b are made, in which case a Discretionary Housing Permit (Section 22.166.050)

application is required if an affordable housing set-aside is provided pursuant to Table 22.120.050-A.

~~4. The granting of the waivers or reductions of development standards is subject to an Administrative Housing Permit (Section 22.166.040), provided that the findings specified in Section 22.166.040.C.1.b are satisfied, for the following:~~

~~a. A housing development with a very low or lower income housing set aside;~~

~~b. A common interest development with a moderate income housing set aside;~~

~~c. A senior citizen housing development or a mobilehome park for senior citizens;~~

~~d. A housing development with a land donation; or~~

~~e. The following projects, if they meet the criteria for one of the California Environmental Quality Act exemptions related to affordable or infill housing or proximity to transit, such as Sections 21159.23, 21159.24, or 21155-21155.3 of the California Public Resources Code:~~

~~i. A housing development with an extremely low income housing set aside;~~

~~ii. A rental housing development with a moderate income housing set aside; or~~

~~iii. A single family residential subdivision with a moderate income housing set aside.~~

~~2. In all other cases where an affordable housing set-aside is provided, pursuant to Table 22.120.050 A, the granting of waivers or reductions of development standards is subject to a Discretionary Housing Permit (Section 22.166.050).~~

...

SECTION 29. Section 22.120.100 is hereby amended to read as follows:

22.120.100 Rules and Calculations.

A. Fractional Numbers. ~~All~~Each calculations for density bonuses, affordable housing set-asides, and parking, and baseline dwelling units resulting in fractional numbers shall be rounded up to the next nearest whole number.

B. Baseline Dwelling Units.

1. ~~Notwithstanding Section 22.02.050 (Consistency with the General Plan), w~~When calculating the baseline dwelling units, the maximum allowable density permitted by the General Plan land use designation shall prevail and supersede any contrary provisions in this Title 22.

...

SECTION 30. Section 22.121.060 is hereby amended to read as follows:

22.121.060 Incentive and Waiver or Reduction of Development Standard.

A project with any middle income affordable set-aside shall be eligible for one incentive and one waiver or reduction of a development standard, subject to the following:

...

B. Incentive. The granting of an incentive pursuant to this Section is subject to the following:

1. ~~An~~ Discretionary~~Administrative~~ Housing Permit (Section 22.166.0540), unless any of the findings specified in Section 22.166.040.C.1.a ~~are satisfied~~ are made, in which case an ~~Administrative~~Discretionary Housing Permit (Section 22.166.0450) application is required; and

2. Said incentive shall not be used to request any density bonus or direct financial incentive, such as an exemption from, or a reduction in, the payment of any planning and zoning fees.

C. Waiver or Reduction of Development Standard. The granting of a waiver or reduction of development standard pursuant to this Section is subject to an ~~Discretionary~~Administrative Housing Permit (Section 22.166.0540), unless any of the findings specified in Section 22.166.040.C.1.b ~~are satisfied~~ are made, in which case an ~~Administrative~~Discretionary Housing Permit (Section 22.166.0450) application is required.

SECTION 31. Section 22.140.170 is hereby amended to read as follows:

22.140.170 Density-Controlled Developments.

...

C. Required Standards. In approving a Conditional Use Permit (Chapter 22.158) application for density-controlled development, the Commission or

Hearing Officer shall impose the following standards. The standards in this Subsection C may not be modified unless a Variance (Chapter 22.194) application is granted:

...

2. Required Area Per Dwelling Unit. Notwithstanding the minimum lot area and lot area per dwelling unit requirements established by the regulations of the zone in which the development is located, where a density-controlled development is approved by the Commission or Hearing Officer, the lot area or lot area per dwelling unit requirements specified in the application shall be deemed the minimum required area or required area per dwelling unit established for the lots where approved.

...

SECTION 32. Section 22.140.230 is hereby amended to read as follows:

22.140.230 Farmworker Housing

...

E. Application Requirements for Zones R-3 and R-4.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for a farmworker housing complex that:

a. In Zone R-3:

i. ~~Complies with the minimum lot area per dwelling unit requirements per Section 22.110.120.B (Zone R-3 Dwelling Unit Density)~~Does not exceed the maximum density pursuant to Section 22.02.050.B.2 (Maximum) or Section 22.06.020 (Suffixes to Zoning Symbols); and

...

b. In Zone R-4:

i. ~~Complies with the minimum lot area per dwelling unit~~

~~requirements per Section 22.110.120.C (Zone R-4 Dwelling Unit Density)~~Does not

exceed the maximum density pursuant to Section 22.02.050.B.2 (Maximum) or

Section 22.06.020 (Suffixes to Zoning Symbols); and

...

SECTION 33. Section 22.140.320 is hereby amended to read as follows:

22.140.320 Joint Live and Work Units.

...

C. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review

(Chapter 22.186) application is required for joint live and work units on lots that:

a. Meet the locational criteria specified in Note 18 of

Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H,

C-1, C-2, C-3, and C-MJ, C-RU, MXD-RU, and MXD;

b. Are outside of the prohibited areas specified in Note 14 of

Table 22.24.030-B (Principal Use Regulations for Rural Zones) in Zones C-RU and

MXD-RU; or

c. Are in Zone MXD.

2. ~~Minor-Conditional Use Permit.~~ A ~~Minor-Conditional Use Permit~~ (Chapter 22.160~~158~~) application is required for joint live and work units in ~~Zone C-M;~~ on lots that:

a. Do not meet the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H, C-1, C-2, C-3, and C-MJ; or

b. Are in Zone C-M.

3. Modification.

a. Except as otherwise specified, ~~the~~ requirements in this Section may be modified upon approval of a Conditional Use Permit (Chapter 22.158) application.

b. Notwithstanding Subsection C.3.a, above, in Zones C-H, C-1, C-2, C-3, ~~C-M,~~ C-MJ, and MXD, the development standards specified in Subsection G, below, may be waived, reduced, or modified in accordance with Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing), subject to an Administrative Housing Permit (Section 22.166.040), in which case Subsection C.1 ~~or C.2,~~ above, also applies.

...

~~E. Prohibited Locations. Joint live and work units are prohibited if any portion of the development is located within:~~

~~1. A Significant Ecological Area (SEA);~~

~~2. A Very High Fire Hazard Severity Zone;~~

~~3. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;~~

~~4. On land with a slope of 25 percent or more; or~~

~~5. On land not served by a public water and sewer system.~~

...

G. ~~Development Standards. All joint live and work units shall conform to the following development standards:~~

~~1. Additional Standards.~~

~~a. The development standards specified in Subsection A.8 (Development Standards) of Section 22.140.350 shall apply to joint live and work units in Zones C-H, C-1, C-2, C-3, and C-M.~~

~~b. The development standards specified in Subsection B.4 (Development Standards for Mixed Use Developments) of Section 22.140.350 shall apply to joint live and work units in Zone C-MJ.~~

~~c. The development standards specified in Subsection D (Development Standards) of Section 22.26.030 shall apply to joint live and work units in Zone MXD.~~

1. General Standards. All joint live and work units shall conform to the following development standards:

2a. Minimum Unit Size. The minimum size of a joint live and work unit shall be 1,000 square feet.

3b. Minimum Working Space Floor Area. The minimum floor area for working space shall be 250 square feet.

c. For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.

d. Where a ground-floor joint live and work unit fronts upon a street or highway, the working space shall be oriented to the street or highway.

e. The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.

f. There shall be direct access between the living space and working space.

2. Zone Specific Development Standards.

a. Zones C-H, C-1, C-2, C-3, and C-M. Section 22.140.350.A.6 (Development Standards) shall apply to joint live and work units in Zones C-H, C-1, C-2, C-3, and C-M.

b. Zone C-MJ. Section 22.140.350.B.4 (Development Standards for Mixed Use Developments) shall apply to joint live and work units in Zone C-MJ.

c. Zone MXD. Section 22.26.030.D (Development Standards) shall apply to joint live and work units in Zone MXD. Modifications of development standards in Section 22.26.030.D are subject to Section 22.26.030.E (Modifications of Development Standards).

H. Performance Standards. ~~All joint live and work units shall conform to the following performance standards:~~

1. ~~Additional~~General Standards. All joint live and work units shall conform to the following performance standards:

a. ~~The performance standards specified in Section 22.140.350.A.9 (Performance Standards) shall apply to joint live and work units in Zones C-H, C-1, C-2, C-3, and C-M.~~

b. ~~The performance standards specified in Subsection B.5 (Performance Standards for Mixed Use Developments) of Section 22.140.350 shall apply to joint live and work units in Zone C-MJ.~~

c. ~~The performance standards specified in Subsection F (Performance Standards) of Section 22.26.030 shall apply to joint live and work units in Zone MXD.~~

2a. At least one resident of the living space shall perform or oversee the commercial activity performed in the working space.

3b. The living and working spaces within a joint live and work unit shall not be rented, leased, or sold separately.

4c. The maximum number of employees who do not reside within a joint live and work unit is two.

2. Zone Specific Development Standards.

a. Zones C-H, C-1, C-2, C-3, and C-M. Section 22.140.350.A.7

(Performance Standards) shall apply to joint live and work units in Zones C-H, C-1, C-2, C-3, and C-M.

b. Zone C-MJ. Section 22.140.350.B.5 (Performance

Standards for Mixed Use Developments) shall apply to joint live and work units in Zone C-MJ.

c. Zone MXD. Section 22.26.030.F (Performance Standards)

shall apply to joint live and work units in Zone MXD.

~~5. For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.~~

~~6. Where a ground floor joint live and work unit fronts upon a street, the working space shall be oriented to the street.~~

~~7. The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.~~

~~8. There shall be direct access between the living space and working space.~~

...

SECTION 34. Section 22.140.350 is hereby amended to read as follows:

22.140.350 Mixed Use Developments in Commercial Zones.

A. Mixed Use Development in Zones C-H, C-1, C-2, C-3, and C-M.

1. Purpose. This Subsection A facilitates the establishment of and ensures the compatibility of residential and commercial uses within ~~vertical~~-mixed use developments by allowing such uses in certain Commercial Zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments.

2. Applicability. This Subsection A applies to mixed use developments in Zones C-H, C-1, C-2, C-3, and C-M.

3. Application Requirements.

a. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for mixed use developments on lots that meet the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H, C-1, C-2, and C-3;

~~b. Minor Conditional Use Permit. A Minor Conditional Use Permit (Chapter 22.160) application is required for mixed use developments in Zone C-M; or~~

eb. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for mixed use developments on lots that:

i. Do not meet the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H, C-1, C-2, and C-3; or

ii. Are in Zone C-M; or

c. Modification.

i. The requirements in this Subsection A may be modified upon approval of a Conditional Use Permit (Chapter 22.158) application.

ii. Notwithstanding Subsection A.3.c.i, above, the development standards specified in Subsection A.6, below, may be waived, reduced, or modified in accordance with Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing), subject to an Administrative Housing Permit (Section 22.166.040), in which case Subsection A.3.a, above, also applies if the mixed use development is on a lot that meets the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H, C-1, C-2, and C-3.

~~(a) The density of a mixed use development may exceed the density specified in Subsection A.7, below, if a density bonus is granted pursuant to Chapter 22.120 (Density Bonus), subject to an Administrative Housing Permit (Section 22.166.040), in which case Subsection A.3.a or A.3.b, above, also applies.~~

~~(b) The development standards specified in Subsections A.8.a through A.8.d, below, may be waived, reduced, or modified in~~

~~accordance with Chapter 22.120 (Density Bonus), subject to an Administrative Housing Permit (Section 22.166.040), in which case Subsection A.3.a or A.3.b, above, also applies.~~

~~(c) The development standards specified in Subsection A.8.e (Mixed Use Development Type), below, may be waived, reduced, or modified in accordance with Chapter 22.120 (Density Bonus), subject to an Administrative Housing Permit (Section 22.166.040), provided that the commercial component is on the ground floor and oriented toward the street, in which case Subsection A.3.a or A.3.b, above, also applies.~~

~~...~~

~~5. Prohibited Locations. No mixed use development shall be allowed if any portion of the development would be located in:~~

~~a. A Significant Ecological Area (SEA);~~

~~b. A Very High Fire Hazard Severity Zone;~~

~~c. An Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan;~~

~~d. On land with a slope of 25 percent or more; or~~

~~e. On land not served by a public water or public sewer system.~~

~~65. Prohibited Uses. Notwithstanding the uses otherwise permitted in the zone, the following uses are prohibited in the commercial component of a mixed use development, as listed in Table 22.140.3650-A, below.~~

TABLE 22.140.3650-A: PROHIBITED USES	
<i>Animal-Related Uses</i>	
...	

7. Density.

a. In Zones C-H, C-1, and C-2, not more than 17 dwelling units per net acre shall be permitted.

b. In Zones C-3 and C-M, not more than 50 dwelling units per net acre shall be permitted.

86. Development Standards. The following development standards shall apply:

a. Minimum Floor Area for Residential Use. At least two-thirds of the square footage of the mixed use development shall be designated for residential use. For the purpose of this Subsection A.6.a:

i. The two-thirds calculation is based upon the proportion of gross square footage of residential space and related facilities to gross development building square footage for an unrelated commercial use;

ii. "Related facilities" means any manager's units and any and all common area spaces that are included within the physical boundaries of the housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas that are exclusively available to residential users, except any portions of the overall development that are specifically commercial space; and

iii. Additional density, floor area, or units granted pursuant to Chapter 22.120 (Density Bonus) are excluded from this calculation.

b. Vertical Mixed Use. Where the commercial and residential uses are located in the same building:

i. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor;

ii. With the exception of joint live and work units and parking areas, the ground floor space shall be devoted solely to commercial uses; and

iii. Commercial uses may occupy floor spaces above the ground floor, provided that all commercial uses other than joint live and work units are located on the lower level(s) below the residential uses.

c. Pedestrian Access. Pedestrian access shall be provided as follows:

i. All street-fronting buildings shall have at least one pedestrian accessible entrance fronting and directly accessible to pedestrians on the street; and

ii. Pedestrian walkways shall be provided between all buildings on the lot.

ad. Parking and Vehicular Access.

i. With the exception of fully subterranean parking structures and parking within a non-street-fronting building, all parking areas shall be:

(1) ~~Be~~Located in the rear portion of the structure or behind a street-fronting building, or at the rear of the lot, except that up to 25 percent of required parking may be located along one side of the street-fronting building where an access driveway is provided; and

(2) ~~Be~~Completely screened with walls or landscaping so that they parking areas are not visible from the street or highway that provides frontage, except that views of parking areas down or along access driveways need not be screened unless the parking areas are located along an access driveway, in which case walls or landscaping may be placed only if they do not impede adequate line of sight to the public right-of-way.

ii. Separate commercial and residential parking spaces must be provided in compliance with Chapter 22.112 (Parking). Spaces shall be separately designated by signage, striping, pavement marking, and/or physical separation.

iii. On a corner lot or reversed corner lot, vehicular access shall be provided from the side street.

~~be.~~ Loading/Unloading Areas.

i. Loading areas shall comply with the standards of Section 22.112.120 (Loading Spaces).

ii. Off-street loading areas shall be located;

(1) Away from primary pedestrian ingress and egress areas by at least 20 feet; and

(2) Toward the rear of the building and shall not be visible from the street or highway.

ef. Trash/Recycling.

i. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for accessible to both the residential and commercial uses.

ii. The trash enclosures for refuse and recycling bins shall be located toward the rear of the building and shall not be visible from the street.

(1) Located within parking structures, at the rear or side of buildings, or between buildings, and shall not be between a building and a street or highway;

(2) Located not farther than 150 feet from the building;

(3) Not placed in any public right-of-way; and

(4) Screened by solid masonry walls between five and six feet in height, if located outside.

g. Mechanical Equipment. Mechanical equipment shall be completely screened from view through the use of walls or landscaping.

h. Required Interior Side and Rear Yards. Interior side and rear yards abutting lots zoned Residential or Agricultural shall have the minimum depths as follows:

i. In Zones C-H, C-1, and C-2:

(1) Interior side yard: five feet.

(2) Rear yard: 15 feet.

ii. In Zones C-3 and C-M:

(1) Interior side yard: five feet where no building exceeds two stories in height; or five feet plus one foot for each story that exceeds two stories, except the maximum required side yard depth is 16 feet.

(2) Rear yard: 15 feet.

~~d. Height. In Zones C-3 and C-M, buildings and structures shall not exceed a height of 60 feet above grade, excluding chimneys and rooftop antennas.~~

~~e. Mixed Use Development Type~~

~~i. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor.~~

~~ii. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses.~~

~~iii. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.~~

97. Performance Standards. The following performance standards shall apply:

...

408. Covenant and Agreement. The applicant shall record with the Registrar-Recorder/County Clerk, an agreement that the mixed use developments will be maintained in accordance with this Subsection A as a covenant running with the land for the benefit of the County, and the covenant shall also declare that any violation thereof shall be subject to Enforcement Procedures (Chapter 22.242).

B. Mixed Use Developments in Zone C-MJ.

...

2. Application Requirements:

a. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required for mixed use developments on lots that meet the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zone C-MJ;

b. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required for mixed use developments on lots that do not meet the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zone C-MJ; or

c. Modification.

i. The requirements in this Subsection B may be modified upon approval of a Conditional Use Permit (Chapter 22.158) application.

ii. Notwithstanding Subsection B.2.c.i, above, the development standards specified in Subsection B.4, below, may be waived, reduced, or

modified in accordance with Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing), subject to an Administrative Housing Permit (Section 22.166.040), in which case Subsection B.2.a, above, also applies if the mixed use development is on a lot that meets the locational criteria specified in Note 18 of Table 22.20.030-B (Principal Use Regulations for Commercial Zones) in Zone C-MJ.

3. Prohibited Uses. Subsection A.6~~5~~ (Prohibited Uses), above, shall apply to mixed use developments in Zone C-MJ.

4. Development Standards for Mixed Use Developments. The following development standards shall apply:

a. Subsection A.6.a (Minimum Floor Area for Residential Use), above, shall apply to mixed use developments in Zone C-MJ.

ab. Recreational Spaces for Mixed Use Developments.

...

iii. Additional Standards for Common Recreational Space.

...

(2) Roof Top Common Recreational Space.

Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving materials, and recreational amenities of the type listed in Subsection B.4.ab.i.(1), above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

bc. Other Residential Amenities for Mixed Use Developments.

Any development that includes dwelling units shall provide adequate private or common laundry facilities that are reserved for the exclusive use of the residents residing in the development.

ed. Loading. Off-street loading areas shall be located towards the rear of the structures, where feasible, and shall not be visible from the street.

5. Performance Standards for Mixed Use Developments. The following performance standards shall apply:

a. Hours of Operation. The hours of operation for commercial uses shall be no earlier than 6:00 a.m., and no later than 12:00 a.m., daily, ~~unless modified by Conditional Use Permit (Chapter 22.158).~~

...

SECTION 35. Section 22.140.360 is hereby amended to read as follows:

22.140.360 Mixed Use Developments in Zone MXD-RU.

A. General.

1. In Zone MXD-RU, as part of a mixed use development that includes a commercial component, residential uses shall be permitted as listed in Section 22.24.030 (Land Use Regulations for Rural Zones) for "mixed use developments, vertical or horizontal," subject to the development standards set forth in Section 22.24.040 (Development Standards for Rural Zones) and this Section.

2. The conversion of any mixed use development to an exclusively residential use shall be prohibited.

B. Development Standards. ~~The following standards shall apply:~~

~~1. General.~~

~~a. Any mixed use development shall conform to the development standards set forth in Section 22.24.040 (Development Standards for Rural Zones).~~

~~b. The conversion of any mixed use development to an exclusively residential use shall be prohibited.~~

~~2. Vertical. Vertical mixed use development shall be subject to the applicable provisions of Sections 22.140.350.A.7 (Development Standards) and 22.140.350.A.8 (Performance Standards).~~

1. Vertical Mixed Use Developments. The following development standards shall apply to vertical mixed use developments in Zone MXD-RU:

a. Parking.

i. With the exception of fully subterranean parking structures, all parking areas shall:

(1) Be located in the rear of the structure; and

(2) Be completely screened with walls or

landscaping so that they are not visible from the street that provides frontage, except that views of parking areas down or along access driveways need not be screened.

ii. Separate commercial and residential parking spaces must be provided in compliance with Chapter 22.112 (Parking). Spaces shall be

separately designated by signage, striping, pavement marking, and/or physical separation.

b. Loading/Unloading. Off-street loading areas shall be located toward the rear of the building and shall not be visible from the street.

c. Trash/Recycling. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are accessible to both the residential and commercial uses. The trash enclosures shall be located toward the rear of the building and shall not be visible from the street.

d. Mixed Use Development Type.

i. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor.

ii. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses.

iii. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.

32. Horizontal Mixed Use Developments. The following development standards shall apply to hHorizontal mixed use developments in Zone MXD-RU shall:

a. Comply with the requirements in:

i. Section 22.140.350.A.5 (Prohibited Locations).

ii. Section 22.140.350.A.8.b (Hours of Operation).

iii. Section 22.140.350.A.8.c (Operating Activities

Prohibited).

~~iv. Section 22.140.350.A.9 (Covenant and Agreement).~~

~~ba.~~ Maintain a minimum distance of 10 feet between any residential building established on the same lot, unless otherwise approved with a Conditional Use Permit (Chapter 22.158), notwithstanding the provisions of Section 22.110.050 (Distance Between Buildings); and

~~eb.~~ Provide separate vehicular access for commercial and residential uses.

C. Performance Standards. The performance standards set forth in Section 22.140.350.A.7 (Performance Standards) shall apply to all mixed use developments in Zone MXD-RU.

D. Covenant and Agreement. The requirement of a covenant and agreement set forth in Section 22.140.350.A.8 (Covenant and Agreement) shall apply to all mixed use developments in Zone MXD-RU.

E. Prohibited Uses. For any commercial component of a mixed use development in Zone MXD-RU, in addition to the prohibited uses for commercial components of mixed use developments in Section 22.140.350.FA.5 (Prohibited Uses), the uses listed in Table 22.140.360-A shall be prohibited:

...

SECTION 36. Section 22.140.370 is hereby amended to read as follows:

22.140.370 Mobilehome Parks.

...

B. Density.

1. The total number of lots within a mobilehome park shall not exceed ~~the number of dwelling units per net acre specified in the zone~~ the maximum density pursuant to Section 22.02.050.B.2 (Maximum) or Section 22.06.020 (Suffixes to Zoning Symbols), unless a density bonus is granted, pursuant to Chapter 22.120 (Density Bonus).

...

SECTION 37. Section 22.140.600 is hereby amended to read as follows:

22.140.600 Townhouses.

A. Applicability. This Section applies ~~to~~ where a Conditional Use Permit (Chapter 22.158) application is required for townhouses in Zones A-1, A-2, R-R, R-A, R-1, and R-2.

...

SECTION 38. Section 22.166.040 is hereby amended to read as follows:

22.166.040 Administrative Housing Permit.

...

C. Findings and Decision.

1. An application that meets all the requirements for an Administrative Housing Permit shall be approved, ~~subject to~~ unless any of the following findings as applicable is found based on substantial evidence:

a. When an incentive is requested:

i. The incentive does not results in identifiable and actual cost reductions to provide for affordable housing costs or affordable rents for the affordable housing set-aside units;

ii. The incentive would ~~not~~ have a specific adverse impact upon public health and safety, or the physical environment, or on any real property that is listed in the California Register of Historical Resources, or the incentive would have a specific adverse impact for which there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to extremely low, very low, lower, or moderate income households; ~~and~~or

iii. The incentive is ~~not~~ contrary to State or federal law.

b. When a waiver or reduction of development standards is requested:

i. The development standard for which the applicant is requesting a waiver or reduction does not physically precludes the construction of the project at the densities or with the incentives permitted by Chapter 22.120 (Density Bonus);

ii. The waiver or reduction would ~~not~~ have a specific adverse impact upon public health and safety, or the physical environment, or any real property that is listed in the California Register of Historical Resources, or the waiver or

reduction would have a specific adverse impact for which there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact; ~~and/or~~

iii. The waiver or reduction is ~~not~~ contrary to State or federal law.

c. When an additional incentive for the provision of a child care facility is requested:

i. The additional incentive for a child care facility significantly does not contribute to the economic feasibility of the construction of the child care facility;

ii. The additional incentive would ~~not~~ have a specific adverse impact upon public health and safety, or the physical environment, or on any real property that is listed in the California Register of Historical Resources, or the incentive would have a specific adverse impact for which there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to extremely low, very low, lower, or moderate income households; ~~and/or~~

iii. The incentive is ~~not~~ contrary to State or federal law.

...

SECTION 39. Section 22.172.020 is hereby amended to read as follows:

22.172.020 Regulations Applicable.

The following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to use and/or standards as specified herein:

...

I. Limitation on Additional Development. No new principal use, building, or structure shall be developed on any lot containing a nonconforming use or a building or structure nonconforming due to use and/or standards unless the following conditions prevail:

1. That each existing and proposed principal use, building or structure, including any appurtenant structures, improvements and open space, will be located on a lot having the required area as provided in ~~Section 22.110.120 (Density)~~, Section 22.110.130 (Required Lot Area and Width), Section 22.110.140 (Required Lot Area or Width for Specific Circumstances), ~~Section 22.110.150 (Substandard Lots)~~, and Section 22.110.160 (Resubdivision Conditions for Undersized or Underwidth Lots);

2. That such lot can be divided into smaller lots each of which when considered as a separate lot will contain not less than the required area; and

3. That each such lot so divided into smaller lots will comply with the requirements of this Title 22 as to the number and location of structures, including the provisions pertaining to the maximum density in Section 22.02.050.B.2 (Maximum) or Section 22.06.020 (Suffixes to Zoning Symbols).

...

SECTION 40. Section 22.346.070 is hereby amended to read as follows:

22.346.070 Zone Specific Development Standards.

...

B. Zone R-2 (Neighborhood Preservation II). Zone R-2 ~~densities and~~ standards of development shall be maintained regarding setbacks, yards, parking, height coverage, etc.

C. Zone R-3 NR (Neighborhood Revitalization).

1. Development Standards. Zone R-2 (Neighborhood Preservation II) standards of development shall be maintained regarding setbacks, yards, parking, height, coverage, etc., for lots less than 40,000 square feet. Lots in excess of 40,000 square feet with multi-family densities (up to 30 dwelling units per acre) are ~~permitted subject to a Conditional Use Permit (Chapter 22.158) application and specific~~ design standards as set forth in Subsection C.2, below.

...

D. Zone C-1 (Restricted Professional Offices). ~~Professional office uses shall be the primary uses. Other~~Non-residential uses permitted in Zone C-1, with the exception of professional office uses, shall ~~may be permitted~~ subject to a Conditional Use Permit (Chapter 22.158) application.

...

~~F. Zone C-3 CRS (Mixed Commercial). Uses permitted in Zone C-3. Uses subject to a Conditional Use Permit (Chapter 22.158) application: Mixed commercial/residential developments.~~

~~GE.~~ Zone ()-P Overlay (Parking). Uses permitted in underlying Residential Zone, or supplemental parking lots to serve adjacent commercial uses.

SECTION 41. Section 22.348.080 is hereby amended to read as follows:

22.348.080 Area Specific Development Standards.

A. Commercial/Residential Mixed Use Area. Developments on Century Boulevard, between Vermont Avenue to the east and approximately 130 feet west of Denker Avenue to the west, as shown on Figure 22.348-B: Commercial/Residential Mixed Use Area, at the end of this Chapter, shall be developed with residential or commercial uses and be subject to approval of a Conditional Use Permit (Chapter 22.158) application, except that the construction and maintenance of one single family residence per lot shall be exempt from the requirements of a Conditional Use Permitthe following development standards:

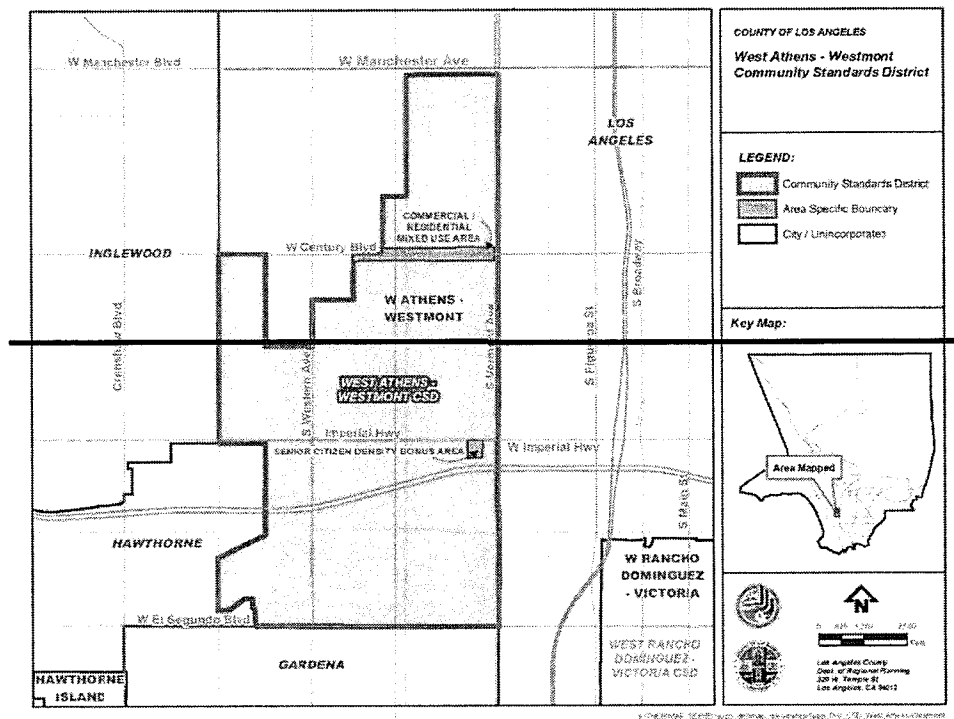
1. Residential projects shall be subject to the following requirements:
 - ~~a.~~ a. ~~Maximum density: 30 dwelling units per net acre;~~
 - ~~b~~a. Height limit: 35 feet;
 - ~~e~~b. Setback from 99th and 101st Streets: 10 feet. The setback area shall be landscaped with grass, shrubs and/or trees;
 - ~~d~~c. Setback from Century Boulevard: 10 feet; and
 - ~~e~~d. Access to property: via 99th or 101st Street.
2. Commercial projects shall be subject to the following requirements:

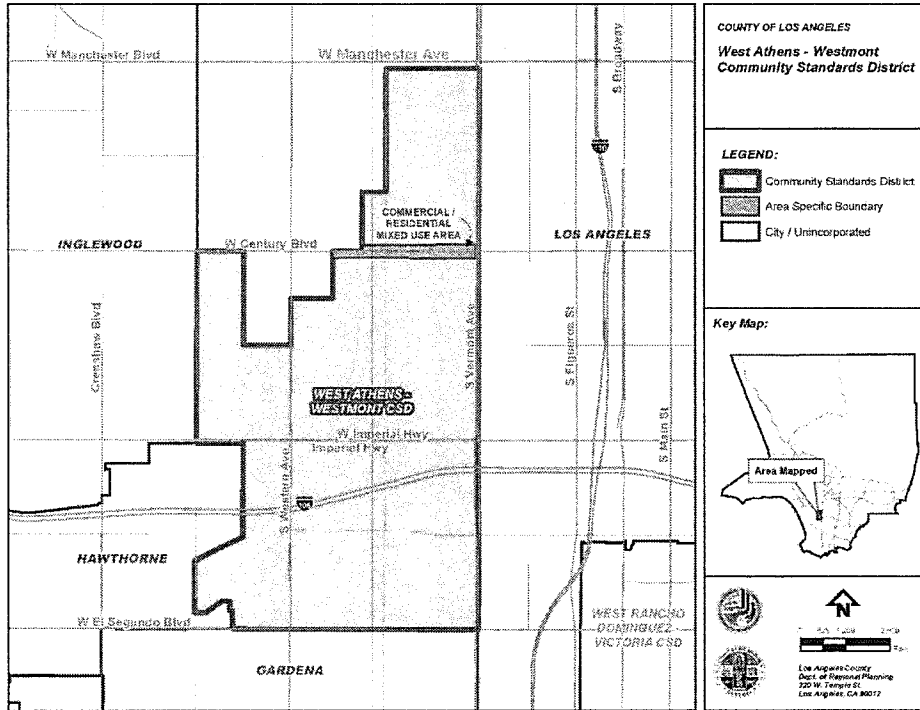
...

~~B. Senior Citizen Density Bonus Area. The area bounded by New Hampshire Avenue, Berendo Avenue, Imperial Highway and the proposed Century Freeway, as shown on Figure 22.348 C: Senior Citizen Density Bonus Area, at the end of this Chapter, may be developed with senior citizen housing at a maximum density of 50 dwelling units per net acre. The senior citizen developments will be subject to a Conditional Use Permit (Chapter 22.158).~~

SECTION 42. Figure 22.348-A: West Athens-Westmont CSD Boundary is hereby amended to remove the "Senior Citizen Density Bonus Area."

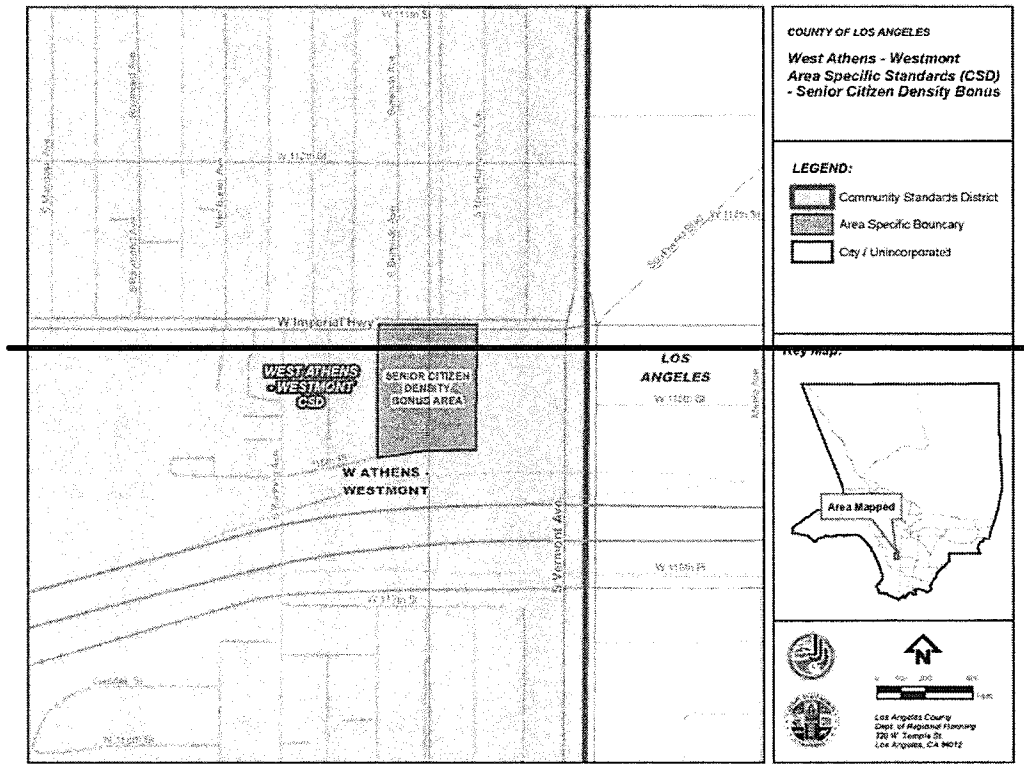
FIGURE 22.348-A: WEST ATHENS-WESTMONT CSD BOUNDARY





SECTION 43. Figure 22.348-C: Senior Citizen Density Bonus Area is hereby deleted.

FIGURE 22.348 C: SENIOR CITIZEN DENSITY BONUS AREA



SECTION 44. Section 22.350.070 is hereby amended to read as follows:

22.350.070 Zone Specific Development Standards.

...

K. ~~Zone () CRS. The maximum permitted density shall be 17 dwelling units per net acre.~~

SECTION 45. Section 22.352.070 is hereby amended to read as follows:

22.352.070 Zone Specific Development Standards.

...

C. Zone R-3.

...

~~6. New residential structures within Zone R-3 shall only include single-family or two-family dwellings. Three or more attached dwelling units within one structure are not permitted, unless a Conditional Use Permit (Chapter 22.158) application is approved.~~

~~7~~6. Temporary mobilehomes and trailers are prohibited.

~~8~~7. Wrought iron style fences which do not obscure views are permitted up to a maximum height of six feet within front yards and corner side yards. Those portions of fences more than three and one-half feet high must be substantially open, except for pillars used in conjunction with wrought iron fences and shall not cause a significant visual obstruction.

...

[2108080SCCC]

SECTION 46 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Hilda F. Solis

Chair

ATTEST:

Celia Zavala

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of March 9, 2021 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Noes

Supervisors Hilda L. Solis
Holly J. Mitchell
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: April 8, 2021

Operative Date:

Celia Zavala

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made

CELIA ZAVALA
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Name:



APPROVED AS TO FORM:
RODRIGO A. CASTRO-SILVA
County Counsel

By *[Signature]*
Lester J. Tolnai
Chief Deputy County Counsel