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City Attorney

REPORT NO. R 1 1 - 0 0 5 6

FEB 11 2011

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.04, 12.21, 12.21.1,
12.23, 12.24, 12.28, 12.32, AND 19.01 OF, AND ADDING SECTION 13.14
TO, THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH NEW
REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL ZONED PROPERTIES
LOCATED IN THE HILLSIDE AREAS OF THE CITY
(BASELINE HILLSIDE ORDINANCE)**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. CF 10-1001;
CPC 2010-581-CA

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance (which is also referred to as the "Baseline Hillside Ordinance"), approved as to form and legality. The purpose of the draft ordinance is to amend the Los Angeles Municipal Code LAMC to establish new regulations for single-family residential zoned properties located in the hillside areas of the City.

Charter Findings

Pursuant to Charter Section 559, the Planning Commission approved the draft ordinance and recommended that the City Council adopt it. If the City Council chooses to adopt this ordinance, it may comply with the provisions of

Charter Section 558 by either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

Background

The purpose of the proposed Baseline Hillside Ordinance is to provide a comprehensive, City-wide set of regulations that addresses key issues raised by various communities in connection with out-of-scale development currently permitted in the City's hillside neighborhoods.

On June 6, 2006, the City Council adopted a motion directing the Department of City Planning to prepare an ordinance amending the LAMC in order to establish the appropriate size of single-family dwellings in both the flatland and hillside areas.

On June 29, 2008, the Baseline Mansionization Ordinance was adopted to address single-family development in the flatland areas.

On May 27, 2010, the City Planning Commission approved an earlier draft of the Baseline Hillside Ordinance to address single-family development in the hillside areas.

On July 27, 2010, your Honorable Planning and Land Use Management Committee (PLUM) approved an earlier draft of the Baseline Hillside Ordinance and recommended that it be adopted by the City Council.

On August 4, 2010, the full City Council considered the earlier draft of the Baseline Hillside Ordinance forwarded to them from PLUM. The City Council approved the draft Ordinance after making three amendments to it. The City Council also directed the City Attorney to prepare and present to it a revised draft of the Baseline Hillside Ordinance to include the three amendments. The three amendments are as follows: 1) a requirement that the Department of Building and Safety increase the geotechnical analysis and reporting requirements to the most stringent level possible where slopes are greater than or equal to 100%; 2) a requirement for an inspection by a Deputy Grading Inspector when grading activity is proposed for areas where slopes are greater than or equal to 100 percent, to be paid by the applicant pursuant to DBS P/BC 2002-34 which states that Section 91.1701.1 of the LAMC requires the use of a Registered (Licensed) Deputy Inspector for grading or foundation earthwork in the hillsides; and 3) an exemption from this Ordinance for all residential development purposes for properties with active Remedial Grading permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety, Grading Division, prior to July 1, 2010.

Summary of Ordinance Provisions

The Baseline Hillside Ordinance will be the third step in preventing out-of-scale single-family development in the City of Los Angeles.

The first step was the adoption of the Baseline Mansionization Ordinance (which was effective on June 29, 2008), which provided regulations for the flatland areas of the City. The Baseline Mansionization Ordinance regulations focused on Floor Area Ratios (FAR) and height.

The second step was the verification and necessary revisions to the Hillside Area designations to more accurately reflect the actual topography of the City's hillside regions. The new Hillside Area definition and Department of City Planning Hillside Area Map became effective on May 3, 2010.

In order to reduce out-of-scale development in the City's hillside neighborhoods, the proposed Baseline Hillside Ordinance focuses primarily on Floor Area Ratios (FAR), Height, and Grading. Like the Baseline Mansionization Ordinance, the Baseline Hillside Ordinance would also allow individual neighborhoods to adjust the baseline limits to better fit their neighborhood's character and scale through an overlay option. The key aspects of the proposed Baseline Hillside Ordinance are summarized as follows:

Floor Area Ratio

The proposed FAR (building size to lot size ratio) is based on lot size, zone, and steepness of slopes on a property. To control development on steeper lots, the proposed ordinance would use a formula that reduces the FAR attributed to the steeper portions of a given lot. The portions of a lot that are 0% to 15% slope would be treated the same as they are in the Baseline Mansionization Ordinance. This approach would take into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining house size limits. The proposed ordinance would also provide for Residential Floor Area bonuses that create incentives for good design, as in the Baseline Mansionization Ordinance, with additional options related to hillside massing and grading.

Height

The current method of calculating height gives developers incentive to build large and tall box-like structures in the hillsides, which many communities have specifically identified as a problem. Thus, the existing regulations discourage the terracing of structures up and down a slope. By contrast, the proposed ordinance would encourage such terracing as a design feature that

would help to visually break up the mass of buildings. The proposed ordinance would also utilize a method of calculating height which follows the slope of a lot (referred to in the proposed ordinance as “envelope” height) and encourage buildings to step up/down a hillside and results in more aesthetically pleasing development.

Grading

Currently, there are no limits to the quantities of grading which can occur on any lot. The proposed regulations would apply to grading outside of what it takes to build permitted square-footage, or additional on-site grading. The proposal establishes a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with a maximum value that would be based on the property's zoning.

The proposed provisions also limit the amount of import/export of these non-exempted earth materials based on the level of street improvement; the current Department of Building & Safety haul-route process would also still apply when more restrictive.

Hillside Standards Overlay

Similar to the Residential Floor Area District established by the Baseline Mansionization Ordinance, the Hillside Standards Overlay is a tool that will allow individual neighborhoods to tailor to their own needs the size limits as well as the other regulations covered by the proposed ordinance.

Additional Hillside Regulations

The proposed ordinance will not make policy changes to other existing hillside development standards not mentioned above. However, the proposed ordinance would help to consolidate the new single-family hillside regulations with the existing single-family hillside regulations that remain unchanged, making the overall set of regulations for these areas more accessible and easier to understand.

In addition, the provisions of the proposed ordinance would still be subject to preemption as called for by any applicable Specific Plans.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety, with a request that any comments be presented directly to your Honorable Body at the time this matter is considered.

CEQA Findings

We recommend that, prior to adoption of this ordinance, you adopt Negative Declaration No. ENV-2010-582-ND. If you concur, you may comply with CEQA by adopting this Negative Declaration prior to or concurrent with your action on the ordinance.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 
PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE/KTF:zra
Transmittal

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.04, 12.21, 12.21.1, 12.23, 12.24, 12.28, 12.32, and 19.01 of, and adding Section 13.14 to, the Los Angeles Municipal Code to establish new regulations for single-family residential zoned properties (R1, RS, RE, and RA) located in the Hillside Area as defined in Section 12.03 of the Code.

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

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding the definitions of "Compaction", "Cut", "Elevation", "Fill", "Floor Area Ratio", "Grade, Hillside Area", "Grading", "Grading, Landform", "Grading, Remedial", "Lot, Downhill", "Lot, Uphill", "Roof, Lattice", "Slope", "Slope Band", and "Substandard Hillside Limited Street" in proper alphabetical order to read:

COMPACTION. The densification of a Fill by mechanical means.

CUT. A portion of land surface or areas from which earth has been removed or will be removed by excavation.

ELEVATION. Vertical distance in feet above sea level.

FILL. The depositing of soil, rock or other earth materials by artificial means.

FLOOR AREA RATIO (FAR). A ratio establishing relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio of the Buildable Area or Lot size (example: "3 times the Buildable Area" or "3:1").

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned Lot in the Hillside Area, pursuant to Section 12.21 C.10 of this Code, Hillside Area Grade shall be defined as the Elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective Elevation of Grade for purposes of measuring Height of a Building or Structure.

GRADING. Any Cut or Fill, or combination thereof, or recompaction of soil, rock or other earth materials.

GRADING, LANDFORM. A contour grading method which creates artificial Slopes with curves and varying Slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain. The graded Slopes are non-linear in plan view, have varying Slope gradients, and significant transition zones between human-made and natural Slopes resulting in pad configurations that are irregular. The

concept of Landform Grading incorporates the created ravine and ridge shapes with protective drainage control systems and integrated landscaping designs.

GRADING, REMEDIAL. For the purposes of Section 12.21 C.10 of this Code, Remedial Grading shall mean grading recommended by a California Licensed Geologist and/or Licensed Engineer prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety-Grading Division, that is necessary to mitigate a geologic or geotechnical hazard on a site (including for access driveways), including, but not limited to: 1) correction of hazardous soil and earth conditions, when notified by the Department of Building and Safety in accordance with Section 91.7005.7 of this Code, 2) removal and re-compaction of soil for a Building site to remediate expansive, compressible or seismically unstable soils, 3) grading required to provide a minimum factor of safety of 1.5 for stability of slopes, and/or 4) grading to bring existing steep non-conforming graded slopes into conformance with current Code requirements for fill and excavated slope gradients.

LOT, DOWNHILL. A Lot for which the Front Lot Line, or Street which serves as the primary vehicular access point for the required parking, is at a higher Elevation than the Rear Lot Line.

LOT, UPHILL. A Lot for which the Front Lot Line, or Street which serves as the primary vehicular access point for the required parking, is at a lower Elevation than the Rear Lot Line.

ROOF, LATTICE. A roof covering constructed as an Open Egg-Crate Roof or Spaced Roof. An Open Egg-Crate roof is constructed of lattice members so that a sphere of 10 inches minimum in diameter can pass through. All lattice members must have a minimum nominal width of 2 inches. A Spaced Roof is constructed of members running in one direction only with a minimum clear spacing between the members of not less than 4 inches. In addition, beams supporting and placed perpendicular to the members shall be spaced not less than 24 inches on center. All members or beams must have a minimum nominal width of 2 inches.

SLOPE. An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance (i.e. 2:1 or 1:1) or as a percentage (i.e. 50% or 100%).

SLOPE BAND. The area of a property contained within a defined Slope interval as identified in Section 12.21 C.10 of this Code and shown on a Slope Analysis Map prepared by a licensed surveyor based on a survey of the natural/existing topography. Slope bands need not necessarily be located in a contiguous manner and can be one or more areas as small or as large as they exist on said property.

SUBSTANDARD HILLSIDE LIMITED STREET. A Street which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section

12.03 of this Code (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering.

Sec. 2. The definitions of "Floor Area" and "Residential Floor Area" in Section 12.03 of the Los Angeles Municipal Code are amended to read:

FLOOR AREA. The area in square feet confined within the exterior walls of a Building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing Building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and Basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not designated as Hillside Area, are subject to the definition of Residential Floor Area.

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a Building or Accessory Building on a Lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways and elevator shafts shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the Floor Area calculation.

Except that the following areas shall not be counted:

1. **Required Covered Parking.** The total area of 200 square feet per required covered parking area.
2. **Detached Accessory Buildings.** Detached Accessory Buildings not exceeding 200 square feet; however, the total combined area exempted of all these Accessory Buildings on a Lot shall not exceed 400 square feet.
3. **Covered Porches, Patios, and Breezeways.** For Lots not located in the Hillside Area or Coastal Zone, the first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides.

For Lots located in the Hillside Area, the exempted area shall be limited to 5% of the maximum Residential Floor Area for a Lot, but need not be less than 250 square feet, and:

- a. Attached porches or patios with a solid roof may be open on only one side if two of the other sides are retaining walls.

b. Breezeways no wider than 5 feet and no longer than 25 feet connecting a garage at the Street level to a Dwelling, either directly or through a stairway or elevator, shall not count as Residential Floor Area and shall not be counted against the aforementioned exemption.

4. **Lattice Roof Porches, Patios, and Breezeways.** Porches, patios, and breezeways that have an open Lattice Roof, as defined in this Section.

5. **Over-In-Height Ceilings.** The first 100 square feet of any Story or portion of a Story of the main Building on a Lot with a ceiling height greater than 14 feet shall be counted only once. Except that in the Hillside Area, for a room or portion of a room which has a floor height below the exterior Grade (or "sunken rooms"), when the ceiling height as measured from the exterior natural or finished Grade, whichever is lower, is not greater than 14 feet it shall only be counted once.

6. **Basements.** For Lots not located in the Hillside Area or Coastal Zone, a Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 2 feet in height at any point above the finished or natural Grade, whichever is lower.

For Lots located in the Hillside Area, a Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 3 feet in height at any point above the finished or natural Grade, whichever is lower, for at least 60% of the perimeter length of the exterior Basement walls.

For all Lots, a maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the Basement and no wider than 6 feet shall not disqualify said Basement from this exemption.

Sec. 3. Subsection D of Section 12.04 of the Los Angeles Municipal Code is amended to read:

D. Supplemental Use Districts. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this Chapter:

"O"	Oil Drilling District
"S"	Animal Slaughtering
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District

"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"HS"	Hillside Standards Overlay District

The "**Zoning Map**" is amended to indicate these districts and the boundaries of each district.

Land classified in one or more of the Supplemental Use Districts listed above shall be classified in one or more zones. Land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "**Zoning Map**" with a combination of symbols, e.g., **R2-2-O**, **C2-4-S**, **M1-3-G**, **M1-1-P** and **R2-O**, **C2-G**, etc., where height districts have not been established.

Sec. 4. The first unnumbered paragraph of Subdivision 17 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

17. One-Family Dwellings, Accessory Buildings and Additions. Hillside Regulations. Notwithstanding any other provisions of this Code to the contrary, the following regulations shall apply to any Major Remodel - Hillside, or construction of or addition to any One-Family Dwelling or Accessory Building on a Lot in the A1, A2 or RD Zones which is located in whole or in part in a Hillside Area as defined in Section 12.03 of this Code.

Sec. 5. Subparagraph (2) of Paragraph (b) of Subdivision 17 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(2) For any main Building on a Lot in the RD Zones, the above required Side Yard or the Side Yard required by the zone in which the Lot is located, whichever requirement is greater, shall be increased one foot for each increment of ten feet or fraction thereof above the first 18 feet of height of the main Building.

Sec. 6. Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new Subdivision 10 to read:

10. Single-Family Zone Hillside Area Development Standards. Notwithstanding any other provisions of this Code to the contrary, for any Lot zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map, no Building or Structure nor the enlargement of any Building or Structure shall be erected or maintained unless the following development standards are provided and maintained in connection with the Building, Structure, or enlargement:

(a) **Setback Requirements.** No Building or Structure shall be erected, maintained or enlarged unless the setbacks as outlined in Table 12.21 C.10-1 are provided and maintained in connection with the Building, Structure, or enlargement.

Table 12.21 C.10-1 Single-Family Zone Hillside Area Setback Requirements								
	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
Front Yard								
Not less than:	20% of Lot Depth							
Need not exceed:	20 ft	25 ft						
Side Yard								
Not less than:	5 ft	7ft	10% of Lot Width , but not less than 5 ft	10 ft				
Need not exceed:	n/a				10 ft	n/a		
The required Side Yard may be reduced to 10% of the Lot Width, but in no event to less than 3 ft, where the Lot is less than the following widths:	50 ft	70 ft	n/a				70 ft*	
For Buildings or Structures with a height larger than 18 feet:	One additional foot shall be added to each required Side Yard for each increment of 10 feet or fraction thereof above the first 18 feet.							
Rear Yard								
Not less than:	15 ft	20 ft	25% of Lot Depth					
Need not exceed:	n/a		25 ft					
ft – feet n/a – the provision is not applicable Lot Depth – as defined in Section 12.03 of this Code Lot Width – as defined in Section 12.03 of this Code								
Notes: * Only applicable for Lots which are of record prior to July 1, 1966.								

Notwithstanding the required yards, or setbacks, outlined in Table 12.21 C.10-1 above, or those exceptions found in Section 12.22 of this Code, the following provisions shall apply:

(1) **Prevailing Front Yard Setbacks.**

(i) Where there are two or more developed Lots which have Front Yards that vary in depth by not more than 10 feet, and such Lots comprise 40% or more of the Frontage, then the minimum Front Yard depth shall be the average depth of the Front Yards of such Lots.

(ii) Where there are two or more possible combinations of developed Lots comprising 40% or more of the Frontage, and these Lots have Front Yards that vary in depth by not more than 10 feet, then the minimum Front Yard depth shall be the average depth of the Front Yards of that combination which has the shallowest average depth.

(iii) In determining the required Front Yard, the following shall not be taken into account: Buildings located on key Lots, entirely on the rear half of Lots, or on Lots in the "C" or "M" Zones.

(iv) Nothing contained in this subparagraph (1) shall, however, be deemed to require Front Yards which exceed 40 feet in depth.

(2) **Front Yard Setback on Lots Fronting on Substandard Hillside Limited Street.** For any Lot that fronts on a Substandard Hillside Limited Street, there shall be a minimum Front Yard setback of at least five feet. However, the prevailing Front Yard setback regulations, as outlined in Subparagraph (1) of this Paragraph (a), shall apply, so long as a Front Yard setback of no less than five feet is provided.

(3) **Front Yard Setbacks on Key Lots.** On Key Lots, the minimum Front Yard may be the average of the required Front Yard for the adjoining Interior Lot and the required Side Yard along the Street side of a Reversed Corner Lot. But such minimum Front Yard may apply for a distance of not more than 85 feet from the rear Lot line of the Reversed Corner Lot, beyond which point the Front Yard specified in Table 12.21 C.10-1 or Subparagraph (1) of this Paragraph (a) shall apply. Where existing Buildings on either or both of said adjoining Lots are located nearer to the front or side Lot lines than the Yard required by this Paragraph (a), the Yards established by such existing buildings may be used in computing the required Front Yard for a Key Lot.

(4) **Front Yard Setbacks on Through Lots.** At each end of a Through Lot, there shall be a Front Yard setback as

required by this Paragraph (a) for the zone in which each Street Frontage is located. But only one Front Yard need be provided on those Through Lots which abut on a primary, Major or Secondary Highway, as such highways are shown on the "Highways and Freeways Element of the General Plan", when the rights to vehicular ingress and egress from such Through Lots to the highways have been abandoned or prohibited by a tract restriction. Where only one Front Yard is required on a Through Lot, as provided herein, the Rear Yard shall be located on the portion of such Lot adjacent to the highway.

Where a Through Lot is less than 150 feet in depth or is developed as a single Building site, and the two required Front Yards are provided, no Rear Yard is required.

(5) **Front Yard Paving.** All portions of the required Front Yard not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved.

(6) **Front Yard on Lots Existing Prior to June 1, 1946.** This provision shall apply to any Lot of less than one acre which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations. On any such Lot, the originally required Front Yard shall be provided and maintained in addition to any new Front Yard required by any subsequent rearrangement of the Lot lines by sale or division (without recording a subdivision map) creating a new Lot fronting on a different Street than that on which the original Lot fronted.

(7) **Side and Rear Yards for Basements.** In determining the required Side and Rear Yards of a Building, any Basement containing Habitable Rooms shall be considered a Story.

(8) **Yards in the Coastal Zone.** The following setback requirements shall apply to Lots located in a Coastal Zone:

(i) On a Lot in the RE9 or RE11 Zone, there shall be a Side Yard on each side of a main Building of not less than 5 feet. Where the Lot is less than 50 feet in width, the Side Yard may be reduced to 10% of the width of the Lot, but in no event less than 3 feet.

(ii) In lieu of the additional Side Yard requirement in Table 12.21 C.10-1, for a Building more than two-stories in height on Lots in the R1, RS, or RE Zone, one foot shall be added to the width of each required Side Yard for each additional Story above the second Story.

(iii) On a Lot in the RA Zone, where a Side Yard is less than 10 feet in width, and the Building erected on the Lot is three or more Stories in height, one foot shall be added to such Side Yard.

(9) **Side Yards in Specific Plans, Historic Preservation Overlay Zones or in Subdivision Approvals.** Side Yard requirements in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over requirements of this Subdivision 10. Otherwise, this Subdivision shall apply.

(10) **Encroachments Into Required Yards.** Every required Front, Side and Rear Yard shall be open and unobstructed from the ground to the sky except for the following:

(i) **Garages in Front Yards.** A Private Garage may be located on the required Front Yard of a Lot where the Elevation of the ground at a point 50 feet from the front Lot line of a Lot and midway between the side Lot lines differs 10 feet or more from the curb level, provided every portion of the garage Building is at least 5 feet from the front Lot line. Where the wall of such garage is two-thirds below natural or finished Grade of the Lot, whichever is lower, said wall may extend to the adjacent side Lot line; in all other cases, said garage shall not be nearer to the side Lot line than the width of the Side Yard required for a main Building of the same height.

(ii) **Open, Unenclosed Stairways, Porches, Platforms, Landing Places, or Balconies.** Notwithstanding any other provisions of this Code, on Lots fronting onto a Substandard Hillside Limited Street, open unenclosed stairways, porches, platforms and landing places not covered by a roof or canopy shall not project or extend into the Front Yard. Balconies with 10 feet or more of vertical clearance beneath them may project or extend no more than 30 inches into a Front Yard.

(iii) **Other Exceptions.** All of those exceptions found in Subdivision 5 of Subsection C of Section 12.21 and in Section 12.22 of this Code.

(11) **Pools, Ponds, or Body of Water in Required Yards.** No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required Yard Space in which fences over 42 inches in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level.

(12) **Zoning Administrator's Authority.** For Lots fronting on a Substandard Hillside Limited Street, a Zoning Administrator may grant a reduction of the front Setback requirements of Subparagraph (2) of this Paragraph and Side Yard requirements in Table 12.21 C.10-1, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code; however, in no event shall the Side Yard be less than 4 feet.

(b) **Maximum Residential Floor Area.** The maximum Residential Floor Area contained in all Buildings and Accessory Buildings shall not exceed the sum of the square footage of each Slope Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the Lot, as outlined in Table 12.21 C.10-2. This formula can be found in Figure 12.21 C.10-1, where "A" is the area of the Lot within each Slope Band, "FAR" is the FAR of the corresponding Slope Band, and "RFA" is the sum of the Residential Floor Area of each Slope Band.

Table 12.21 C.10-2 Single-Family Zone Hillside Area Residential Floor Area Ratios (FAR)								
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.5	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Figure 12.21 C.10-1 Hillside Area Maximum Residential Floor Area Formula					
Slope Bands (%)	Area (sq-ft)		FAR		Residential Floor Area
0 – 14.99	A ¹	X	FAR ¹	=	RFA ¹
15 – 29.99	A ²	X	FAR ²	=	RFA ²
30 – 44.99	A ³	X	FAR ³	=	RFA ³
45 – 59.99	A ⁴	X	FAR ⁴	=	RFA ⁴
60 – 99.99	A ⁵	X	FAR ⁵	=	RFA ⁵
100 +	A ⁶	X	FAR ⁶	=	RFA ⁶
Maximum Residential Floor Area				=	Sum of RFA ¹ through RFA ⁶

(1) **Slope Analysis Map.** As part of an application for a permit to the Department of Building and Safety, or for a Discretionary Approval as defined in Section 16.05 B of this Code to the Department of City Planning, the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a registered civil engineer or licensed land surveyor, to verify the total area (in square feet) of the portions of a property within each Slope Band identified in Table 12.21 C.10-2. The Director of Planning, or his/her designee, shall verify that the Slope Analysis Map has been prepared by a registered civil engineer or licensed land surveyor. In addition, the Director of Planning, or his/her designee shall approve the calculated Maximum Residential Floor Area for the Lot by the registered civil engineer or licensed land surveyor using the Slope Analysis Map prior to applying for a permit from the Department of Building and Safety.

The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the Slope analysis, and shall attest to the fact that the Slope analysis has been accurately calculated.

The Slope Analysis Map shall clearly delineate/identify the Slope Bands (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each Slope Band, as well as the FAR and Residential Floor Area value of each corresponding Slope Band as shown on Figure 12.21 C.10-1.

The Slope Analysis Map shall be prepared using CAD-based, GIS-based, or other type of software specifically designed for such purpose.

(2) **Guaranteed Minimum Residential Floor Area.**

Notwithstanding the above, the maximum Residential Floor Area for all Buildings and Accessory Buildings on any Lot need not be less than the percentage of the Lot size as outlined in Table 12.21 C.10-3 below or 1,000 square feet, whichever is greater.

Table 12.21 C.10-3 Guaranteed Minimum Residential Floor Area	
Zone	Percentage of Lot Size
R1	25%
RS	23%
RE9	20%
RE11	20%
RE15	18%
RE20	18%
RE40	18%
RA	13%

The guaranteed minimum for the original zone as stated in the paragraph above shall apply to Lots that meet the following criteria: have an area that is less than 50% of the minimum Lot size for its Zone, were made nonconforming in Lot size as a result of an adopted zone change or code amendment changing the minimum Lot size, and met the minimum Lot size requirements of the original zone.

(3) **Residential Floor Area Bonus.** An additional 20% of the maximum Residential Floor Area as determined by Table 12.21 C.10-2 of this Paragraph (b), or an additional 30% for Lots where the guaranteed minimum outlined in Subparagraph (2) of this Paragraph (b) is utilized, for that Lot shall be allowed if any of the options listed below is utilized. Only one bonus per property is allowed.

(i) **Proportional Stories Option.** The total Residential Floor Area of each Story other than the Base Floor in a multi-Story Building does not exceed 75% of the Base Floor Area. This option shall only apply to flat Building pads where the Slope of the Building pad area prior to any Grading, as measured from the highest and lowest Elevation points of the existing Grade within 5 horizontal feet of the exterior walls of the proposed Building or Structure, is less than 15%; or

(ii) **Front Facade Stepback Option.** The cumulative length of the exterior walls which are not a part of a garage facing the Front Lot Line, equal to a minimum of

25% of the Building width, shall be stepped-back a distance of at least 20% of the Building depth from a plane parallel to the Lot width established at the point of the Building closest to the Front Lot line. When the Front Lot line is not straight, a line connecting the points where the Side Lot lines and the Front Lot line intersect shall be used to establish the plane parallel to the front Lot width. When Through Lots have, or are required to provide, two Front Yard setbacks, the step-back shall be provided along both Front Lot Lines. When referred by the Department of Building and Safety, for unusual Building and/or Lot configuration, the Director of Planning or his/her designee shall determine that the proposed project complies with this provision and qualifies for a Residential Floor Area bonus.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the Front Lot Line at 45 degrees or less shall be considered to be facing the Front Lot Line. The Building width shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot width. The Building depth shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot depth.

This option shall only apply to Structures which are no more than 35 feet from the Frontage along an improved Street and on a "flat" Building pad where the Slope of the Building pad prior to any Grading, as measured from the highest point of the existing Grade within 5 horizontal feet of the exterior wall of the proposed Building or Structure to the lowest point of the existing natural Grade within 5 horizontal feet, is less than 15%; or

(iii) Cumulative Side Yard Setbacks Option.

The combined width of Side Yards shall be at least 25% of the total Lot Width, as defined in Section 12.03 of this Code, but in no event shall a single Side Yard setback be less than 10% of the Lot Width or the minimum required by Paragraph (a) of this Subdivision, whichever is greater. One foot shall be added to each required Side Yard for each increment of 10 feet or fraction thereof of height above the first 18 feet of height. The width of a required Side Yard setback shall be maintained for the entire length of a Side Yard and cannot alternate from one Side Yard to the other; or

(iv) **18-Foot Envelope Height Option.** For properties which are not in the "1SS" Single-Story Height District, the maximum envelope height, measured pursuant to Subparagraph (1) of Paragraph (d) of this Subdivision 10, shall be no more than 18 feet; or

(v) **Multiple Structures Option.** In addition to the Lot coverage requirements in Paragraph (e) of this Subdivision, any one Building and Structure extending more than 6 feet above Hillside Area Grade, as defined in Section 12.03 of this Code, shall cover no more than 20% of the area of a Lot. Such Buildings or Structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or

(vi) **Minimal Grading Option.** For properties where at least 60% of the Lot is comprised of Slopes which are 30% or greater, as determined by a Slope Analysis Map prepared in accordance with Subparagraph (1) of this Paragraph (b), the total amount of any Grading on the site (including exempted Grading, as outlined in Paragraph (f) of this Subdivision (10)) does not exceed the numeric value of 10% of the total Lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-yards of Grading on a 5,000 square-foot Lot will be eligible for this bonus option); or

(vii) **Green Building Option.** For a new One-Family Dwelling only, the new construction must satisfy the Tier 1 requirements or higher of the LA Green Building Code, as defined in Section 99.01.101.1 of this Code.

(4) Zoning Administrator's Authority.

(i) **10% Adjustments.** The Zoning Administrator has the authority to grant adjustments from the requirements of this Paragraph (b) of not more than 10%, pursuant to the authority and procedures established in Subsection A of Section 12.28 of this Code.

(ii) **Additions to Structures Existing Prior to August 1, 2010.** The Zoning Administrator has the authority to approve any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which permits have been previously obtained which exceed the

requirements of this Paragraph (b), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code, provided:

a. the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and

b. the resulting Building does not exceed the height of the original Building or the height permitted in Paragraph (d) of this Subdivision 10 below, whichever is greater; and

c. at least two off-street covered parking spaces are provided.

(c) **Verification of Existing Residential Floor Area.** For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after August 1, 2010, or remodels of Buildings built prior to August 1, 2010, the existing Residential Floor Area shall be the same as the Building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that Residential Floor Area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the Structures on the Lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the Structures on the Lot prepared by a licensed architect or engineer.

For the purposes of implementing this Paragraph (c), a remodel shall mean the alteration of an existing Building or Structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

(d) **Height Limits.** No portion of a Building or Structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 12.21 C.10-4, or as otherwise stated in the paragraphs below. For the provisions below, whenever Grade is mentioned, it shall mean Hillside Area Grade as defined in Section 12.03 of this Code.

Table 12.21 C.10-4 Maximum Height of Structures (in feet)								
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of the uppermost Story of a Building or Structure or portion thereof has a Slope of 25% or greater, the maximum height for said portion of Building or Structure thereof shall be as follows:								
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the uppermost Story of a Building or Structure or portion thereof has a Slope of less than 25%, the maximum height for said portion of Building or Structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

(1) **Measurement of Height.** Notwithstanding any other provision in this Code, the height limits in Table 12.21 C.10-4 shall be measured as set forth below.

(i) **Maximum Envelope Height.** Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the Grade of the site to a projected plane at the roof Structure or parapet wall located directly above and parallel to the Grade. Measurement of the envelope height shall originate at the lowest Grade within 5 horizontal feet of the exterior walls of a Building or Structure. At no point shall any given section of any part of the proposed Building or Structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this Paragraph (i).

(2) **Zoning Administrator's Authority.** A Zoning Administrator may allow Structures which exceed the maximum envelope height requirements of Subparagraph (1) of this Paragraph (d); however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Subdivision

28 of Subsection X of Section 12.24 of this Code. The overall height shall be measured from the lowest Elevation point within 5 horizontal feet of the exterior walls of a Building or Structure to the highest Elevation point of the roof Structure or parapet wall.

(3) **Prevailing Height.** Notwithstanding Table 12.21 C.10-4 of this Paragraph (d), when 40% or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum envelope height for any Building on that block may be the average height of the Dwellings exceeding these limits.

(4) **Lots in a Single-Story Height District.** As enabled by Section 12.21.1 A.1 of this Code, on Lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no Building or Structure shall be erected or enlarged which exceeds one Story.

Notwithstanding the provision in Section 12.21.1 A.8, in determining the number of Stories, any Basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of this Code, shall not be considered a Story.

(5) **Lots Fronting on Substandard Hillside Limited Streets.** For any Lot-fronting onto a Substandard Hillside Limited Street, as defined in Section 12.03, and subject to the 5-foot Front Yard setback, no portion of a Building or Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24 foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts.

(6) **Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies.** Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height, as limited and measured in Subparagraph (1) of this Paragraph (d), no more than 5 horizontal feet.

For the purposes of this Subparagraph (6), "visually permeable railing" means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.

(7) **Roof Structures.** Roof Structures as described in Table 12.21 C.10-5 below, or similar Structures, may be erected above the height limit specified in Table 12.21 C.10-4.

Table 12.21 C.10-5 Projecting Roof Structures		
Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
Elevator Housing	No more than 5 feet.	Not less than 5 feet.
Tanks		
Ventilating Fans or similar equipment required to operate and maintain the Building.		
Skylights, covering up to 33 1/13% of the roof area upon which the skylight is constructed.		
Towers		
Steeples		
Flagpoles		
Smokestacks		
Wireless Masts		
Water Tanks		
Silos		
Solar Energy Devices		
Chimneys		None.
Exhaust Ducts/Ventilation Shafts		
Stairway Housing, no larger than 36 square-feet.	None.	
Skylights, covering more than 33 1/3% of the roof area upon which the skylight is constructed.		

No roof Structure or any other space above the height limit specified in Table 12.21 C.10-4 shall be allowed for the purpose of providing additional floor space.

(8) **Specific Plans, Historic Preservation Overlay Zones or Subdivision Approvals.** Height limitations in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this Section 12.21. Otherwise, this Section 12.21 shall apply.

(e) **Lot Coverage.** Buildings and Structures extending more than 6 feet above natural ground level shall cover no more than 40% of the area of a Lot.

(1) **Lot Coverage on Substandard Lots.** Notwithstanding Paragraph (e) above, for a Lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), Buildings and Structures shall cover no more than 45% of the area of a Lot.

(2) **Zoning Administrator's Authority.** A Zoning Administrator may grant limited deviations from these requirements, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.

(f) **Grading.** Notwithstanding any other provisions of this Code, total Grading (Cut and Fill) on a Lot shall be limited as outlined below. No Grading permits shall be issued until a Building permit is approved.

(1) **Maximum Grading Quantities.** The cumulative quantity of Grading, or the total combined value of both Cut and Fill or incremental Cut and Fill, for any one property shall be limited to a base maximum of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards. Example: a 5,000 square-foot Lot would have a maximum Grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).

However, the cumulative quantity of Grading shall not exceed the maximum "by-right" Grading quantities outlined by Zone in Table 12.21 C.10-6 below.

Table 12.21 C.10-6 Maximum "By-Right" Grading Quantities	
Zone	Maximum Grading (cubic yards)
R1	1,000
RS	1,100
RE9	1,200
RE11	1,400
RE15	1,600
RE20	2,000
RE40	3,300
RA	1,800

(2) **Import/Export Limits.** The maximum quantity of earth import or export shall be limited to the following quantities:

(i) **Lots Fronting on Standard Hillside Limited Streets or Larger.** For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, the maximum quantity of earth import shall be no more than 500 cubic yards, where additional Grading on-site in conjunction with the amount of import does not exceed the requirements established in Subparagraph (1) of this Paragraph (f). The maximum

quantity of earth export shall be no more than 1,000 cubic yards.

(ii) **Lots Fronting on Substandard Hillside Limited Streets.** For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the maximum quantity of earth import shall be no more than 375 cubic yards, where additional Grading on-site in conjunction with the amount of import does not exceed the requirements established in Subparagraph (1) of this Paragraph (f). The maximum quantity of earth export shall be no more than 750 cubic yards.

(iii) **Exempted On-Site Grading Activity.** Earth quantities which originate from, or will be utilized for any exempted Grading activity listed in Subparagraph (3) of this Paragraph (f) shall be exempted from the maximum import and export quantities set forth in this Paragraph (f). A plan indicating the destination and/or source (i.e. exempted Grading activity or non-exempted Grading activity) of any import and/or export shall be submitted as part of a Grading permit application.

(3) **Exceptions.** The Grading activities outlined in the sub-subparagraphs below shall be exempt from the Grading and/or earth transport limitations established in Subparagraphs (1) and (2) of this Paragraph (f). However, any excavation from an exempted activity being used as Fill, outside of a 5-foot perimeter from the exempted Grading activities, for any other on-site purpose shall be counted towards the limits established in Subparagraph (1) of this Paragraph (f).

(i) Cut and/or Fill underneath the footprint of a Structure(s) (such as foundations, understructures including Basements or other completely subterranean spaces), as well as for water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.

(ii) Cut and/or Fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible Street for which a Lot has ingress/egress rights.

(iii) Remedial Grading as defined in Section 12.03 of this Code as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety - Grading Division.

(4) **Zoning Administrator's Authority.** A Zoning Administrator may grant the following deviations from the requirements of Subparagraphs (1) and (2) of this Paragraph (f), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.

(i) Grading in excess of the maximum "by-right" Grading quantities listed in Subparagraph (1) of this Paragraph (f), but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards.

(ii) For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (2) of this Paragraph (f).

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards; calculated pursuant to Subparagraph (2) of this Paragraph (f).

(5) **New Graded Slopes.** All new Graded Slopes shall be no steeper than 2:1 (horizontal:vertical), except when the Department of Building and Safety - Grading Division has determined that Slopes may exceed 2:1 pursuant to Section 91.105 of this Code.

(6) **Grading Activity on 100% Slopes.** Notwithstanding the Grading, Excavations and Fills provisions in Chapter IX of this Code (the Los Angeles Building Code), when any Grading activity is proposed on any slope of 100% or greater, as identified on the Slope Analysis Map, the Department of Building and Safety - Grading Division shall require the Geotechnical Investigation Report (also referred to as a soils and/or geological report) to

include the most stringent level of geotechnical analysis and reporting feasible, and in sufficient detail to substantiate and support the design and construction methods being proposed.

A Deputy Grading Inspector, also referred to as a Registered (Licensed) Deputy Inspector, paid for by the owner, will be required to be on site when said Grading activity is being conducted in order to ensure that all work is being done in accordance with the recommendations of the Geotechnical Report, the approved plans, and/or the applicable Grading requirements of the Los Angeles Building Code for applicable Grading or foundation earthwork in Hillside Areas.

(7) **Grading Plan Check Criteria.** Grading plans and reports shall be submitted for approval with Building plans, and shall include those items required by Section 91.7006 of this Code.

(g) **Off-Street Parking Requirements.** Notwithstanding those exceptions found in Section 12.22 of this Code, no Building or Grading permit shall be issued for the construction of any One-Family Dwelling, Accessory Building, or addition thereto, unless the following requirements are met.

(1) **Number of Required Covered Spaces.** There shall be at least two Automobile Parking Spaces on the same Lot with each One-Family Dwelling thereon. These required parking spaces shall be provided within a Private Garage. These required parking spaces shall not be provided or maintained within a required Front Yard, unless otherwise permitted by Subparagraph (10) of Paragraph (a) of this Subdivision 10.

(i) **Exception for Dwelling on Narrow Lot.** Where only one One-Family Dwelling is located on a nonconforming Lot 40 feet or less in width and not abutting an alley, only one Automobile Parking Space need be provided. This exception shall not apply to any Lot which fronts on a Substandard Hillside Limited Street.

(2) **Additional Required Spaces.** For a main Building and any Accessory Building located on a Lot which fronts on a Substandard Hillside Limited Street, excluding Floor Area devoted to required parking, which exceed a combined Residential Floor Area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of Floor Area for a maximum of 5 total on-site spaces. These additional required parking spaces may be

uncovered. Notwithstanding the provisions of Subparagraph (1) of this Paragraph (g), when a Lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces may be located within the required Front Yard.

(i) **Zoning Administrator's Authority.** A Zoning Administrator may reduce the number of off-street parking spaces required by Subparagraph (2) of this Paragraph (g), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.

(3) **Parking Stall Dimensions.** In each parking area or garage devoted to parking for Dwelling uses, all Parking Stalls in excess of one per Dwelling Unit may be designed as compact stalls to accommodate parking cars. Every standard Parking Stall provided for Dwelling Units shall be at least 8 feet 6 inches in width and 18 feet in length; every compact stall shall be at least 7 feet 6 inches in width and 15 feet in length.

(4) **Tandem Parking.** Automobile parking may be parked in tandem in a Private Garage or Private Parking Area serving a One-Family Dwelling where the tandem parking is not more than two cars in depth. Each required Parking Stall within a parking area or garage shall be accessible. Tandem parking shall not be allowed in parking areas for recreational vehicles.

(5) **Garage Doors.** Any door or doors installed at the automobile entry to a garage serving a One-Family Dwelling where the required parking spaces are located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles in each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position.

(6) **Driveway Width.** Every access driveway shall be at least 9 feet in width.

(7) **Mechanical Automobile Lifts and Robotic Parking Structures.** The stacking of two or more automobiles via a mechanical car lift or computerized parking Structure is permitted. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meet the requirements of Paragraphs (a), (b), and (i) of

Subdivision 5 of Subsection A of Section 12.21 of this Code. The lift equipment or computerized parking Structure shall meet any applicable Building, Mechanical and Electrical Code requirements as approved by the Department of Building and Safety.

(h) **Fire Protection.** Notwithstanding any other provisions of this Code to the contrary, on a Lot fronting onto a Substandard Hillside Limited Street, or on any Lot located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company, the following fire protection measures shall be required.

(1) **New Buildings or Structures.** Any new construction of a One-Family Dwelling or detached Accessory Building shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code.

(2) **Existing Buildings or Structures.** An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed:

(i) whenever an addition to an existing One-Family Dwelling or Accessory Building increases Residential Floor Area by 50% or more of the area of the existing Dwelling or Building; or

(ii) whenever the aggregate value of Major Remodels within a one-year period exceeds 50% of the replacement cost of the Dwelling or Accessory Building.

(3) **Fire Sprinkler Coverage.** The sprinkler systems required in this Paragraph shall be sufficient to cover the entire Dwelling or Building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all applicable Codes.

(4) **Exempt Accessory Structures.** The provisions of this Paragraph shall not apply to accessory Structures such as gazebos, pergolas, or storage sheds provided these Structures are not supported by or attached to any portion of a Dwelling or Accessory Building and do not exceed 200 square feet in area.

(i) **Street Access.**

(1) **Street Dedication.** For any new construction of, or addition to, a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street, no Building permit or Grading permit shall be issued unless at least one-half of the width of the Street(s) has been dedicated for the full width of the Frontage of the Lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of this Code shall be available for relief from this requirement.

(2) **Adjacent Minimum Roadway Width.** For any new construction of, or addition to a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no Building permit or Grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28 of this Code.

(3) **Minimum Roadway Width (Continuous Paved Roadway).** For any new construction of, or addition to, a One-Family Dwelling on a Lot that does not have a vehicular access route from a Street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no Building permit or Grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision 10 or has been approved by a Zoning Administrator pursuant to Section 12.24 X.28 of this Code.

(j) **Sewer Connection.** No Building permit shall be issued for the construction of any new One-Family Dwelling on a Lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer.

(k) **Hillside Standards Overlay Districts.** The provisions of Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) (Grading) of this Subdivision 10 may be superseded by a Hillside Neighborhood Overlay adopted pursuant to Section 13.14 of this Code.

(l) **Exceptions.** The provision of this Subdivision shall not apply to:

(1) **Tracts With CC&Rs Approved After February 1, 1985.** One-Family Dwellings, Accessory Buildings and additions thereto within a subdivision for which a tentative or final tract map

was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing Building height, yards, open space or Lot coverage, and provided, further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985.

(2) **Additions to Dwellings Built Prior to August 1, 2010.** Any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which Building permits have been previously obtained, provided that:

(i) the total cumulative Residential Floor Area of all such additions does not exceed 500 square feet (excluded from calculations of this 500 square foot limitations is Floor Area devoted to required covered parking); and

(ii) the resulting Building complies with the requirements of Paragraphs (a) (Setback Requirements), (d) (Height Limits), and (f) (Grading) of this Subdivision 10.

(3) **Hillside Major Remodel.** As defined in Section 12.03 of this Code, any remodeling of a main Building on a Lot in the Hillside Area, which does not add square footage and for which the aggregate value of all the alterations within a one-year period does not exceed 50% of the replacement cost of the main Building.

(4) **Northeast Los Angeles Hillside Ordinance.** Properties subject to the Northeast Los Angeles Hillside Ordinance established by Ordinance No. 180,403, shall be exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) (Grading) of this Subdivision 10.

(5) **The Oaks Hillside Ordinance.** Properties subject to The Oaks Hillside Ordinance established by Ordinance No. 181,136, shall be exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (e) (Lot Coverage) of this Subdivision 10.

(6) **Large Active Remedial Grading Projects.** Properties with active Remedial Grading permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety – Grading Division before July 1, 2010, are exempted from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) Grading of this Subdivision. Such

properties shall remain subject to the provisions of Subdivision 17 of Subsection A of Section 12.21 of this Code, and Section 12.21.1 of this Code, and all other zoning and Building regulations applicable at the time Building Permits are issued. This exception shall expire 60 months after July 1, 2010.

Sec. 7. The second and third unnumbered paragraphs of Section 12.21.1 of the Los Angeles Municipal Code are replaced by the following three unnumbered paragraphs:

In the A1, A2, RZ, RMP, and RW2 Zones, and in those portions of the RD and R3 Zones, which are also in Height District No. 1, no Building or Structure shall exceed 45 feet in height. In the RA, RE, RS, R1 and R2 Zones in Height District No. 1, located in a Coastal Zone, no Building or Structure shall exceed 45 feet in height. In the RU and RW1 Zones, no Building or Structure shall exceed 30 feet in height. In the RA, RE, RS, and R1 Zones in Height District No. 1, located in a Hillside Area, as defined in Section 12.03 of this Code, no Building or Structure shall exceed the height limits established in Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

Notwithstanding the preceding paragraph, the following height regulations shall apply on a Lot that is not located in a Hillside Area or Coastal Zone: In the R2 Zone, no Building or Structure shall exceed 33 feet in height. In the R1, RS, or RE9 Zones, no Building or Structure shall exceed 33 feet in height; except that when the roof of the uppermost Story of a Building or Structure or portion of the Building or Structure has a Slope of less than 25 percent, the maximum height shall be 28 feet. In the RE11, RE15, RE20, RE 40 or RA Zones, no Building or Structure shall exceed 36 feet in height; except that when the roof of the uppermost Story of a Building or Structure or portion of a Building or Structure has a Slope of less than 25 percent, the maximum height shall be 30 feet.

Notwithstanding the above, when 40 percent or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum height for any Building on that block may be the average height of the Dwellings exceeding these limits. Height limitations in Specific Plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this Section 12.21.1. This section shall apply when there are no height limitations imposed on Lots by a Specific Plan or a Historic Overlay Zone or created by a subdivision approval.

Sec. 8. Subdivision 1 of Subsection A of Section 12.21.1 of the Los Angeles Municipal Code is amended to read:

1. The total Floor Area contained in all the main Buildings on a Lot in a commercial or industrial zone in Height District No. 1 shall not exceed one-and-

one-half times the Buildable Area of the Lot; for a Lot in all other zones, except the RA, RE, RS, and R1 Zones, the total Floor Area contained in all the main Buildings on a Lot in Height District No. 1 shall not exceed three times the Buildable Area of the Lot.

For RA, RE, RS, and R1 Zoned properties not located in a Hillside Area or Coastal Zone, the total Residential Floor Area shall comply with the Floor Area restrictions for each zone. For RA, RE, RS, and R1 Zoned properties located in a Hillside Area, as defined in Section 12.03 of this Code, the total Residential Floor Area shall comply with the limits established in Paragraph (b) of Subdivision 10 of Subsection C of Section 12.21 of this Code. For RA, RE, RS, and R1 Zoned properties in a Coastal Zone not located in a Hillside Area, as defined in Section 12.03 of this Code, the total Floor Area contained in all the main buildings on a Lot shall not exceed three times the Buildable Area of the Lot.

Portions of Height District No. 1 may be designated as being in an "L" Limited Height District, and no Building or Structure in Height District No. 1-L shall exceed six Stories, nor shall it exceed 75 feet in height. Portions of Height District No. 1 may be designated as being in a "VL" Very Limited Height District, and no Building or Structure in Height District No. 1-VL shall exceed three Stories, nor shall it exceed 45 feet in height. Notwithstanding that limitation, portions of Height District No. 1-VL that are also in the RAS3 or RAS4 Zones shall not exceed 50 feet in height. Portions of Height District No. 1 may also be designated as being in an "XL" Extra Limited Height District, and no Building or Structure in Height District No. 1-XL shall exceed two Stories, nor shall the highest point of the roof of any Building or Structure located in this District exceed 30 feet in height. In the RA, RE, RS, and R1 Zones, portions of Height District No. 1 may also be designated as being in an "SS" Single Story Limit Height District, and no Building or Structure in Height District No. 1-SS shall exceed one Story, nor shall the highest point of the roof of any Building or Structure located in this District exceed 18 feet in height. For the purposes of Height District No. 1-SS, a Basement does not count as a Story when the Elevation of the upper surface of the floor or roof above the Basement does not exceed two feet in height at any point above the finished or natural Grade, whichever is lower.

EXCEPTION: A Building in Height District Nos. 1-XL, 1-VL, designed and used entirely for residential purposes, or a Building in the RAS3 or RAS4 Zones shall be limited as to the number of feet in height, but not as to the number of Stories.

Sec. 9. Subdivision 1 of Subsection A of Section 12.23 of the Los Angeles Municipal Code is amended by adding a new Paragraph (c) to read:

(c) A Building, nonconforming as to the Residential Floor Area regulations on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not located in a Hillside Area, as defined in Section 12.03 of this Code, shall not be added to or enlarged in any manner, except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 10. The first unnumbered paragraph of Subdivision 11 of Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended to read:

A Zoning Administrator may, upon application, permit Buildings and Structures on Lots in the A1, A2, and RD Zones which are located in a Hillside Area as defined in Section 12.03 of this Code to:

Sec. 11. Paragraph (a) of Subdivision 21 of Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended to read:

(a) **Requirements.** If an owner seeks relief, a Zoning Administrator may permit the Grading and construction of Buildings and Structures on Lots in the A1, A2 and RD Zones, which:

Sec. 12. Subsection X of Section 12.24 of the Los Angeles Municipal Code is amended by adding a new Subdivision numbered 28 to read:

28. **Single-Family Zones in Hillside Area.** A Zoning Administrator may, upon application, grant the deviations outlined in Paragraph (a) of this Subdivision 28 on Lots in the R1, RS, RE, and RA Zones which are located in a Hillside Area as defined in Section 12.03 of this Code.

(a) **Zoning Administrator Authority.** If an owner seeks relief, a Zoning Administrator has the authority to grant the following deviations:

(1) **Setback Requirements.** A reduction of the Front and Side Yard setback requirements outlined in Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of this Code for Lots fronting on a Substandard Hillside Limited Street; however, in no event shall the Side Yard be less than 4 feet.

(2) **Additions to Structures Existing Prior to August 1, 2010.** Any additions made after August 1, 2010, to a One-Family Dwelling existing prior to that date for which permits have been previously

obtained which exceed the requirements of Paragraph (b) of Subdivision 10 of Subsection C of Section 12.21 of this Code, provided:

(i) the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and

(ii) the resulting Building does not exceed the height of the original Building or the height permitted in Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code, whichever is greater; and

(iii) at least two off-street covered parking spaces are provided.

(3) **Height.** Exceed the maximum envelope height requirements required by Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of this Code; however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet. The overall height shall be measured from the lowest Elevation point, within 5 horizontal feet of the exterior walls of a Building or Structure, to the highest elevation point of the roof Structure or parapet wall.

(4) **Lot Coverage.** Increase the maximum Lot coverage limitations as outlined in Paragraph (e) of Subdivision 10 of Subsection C of Section 12.21 of this Code, up to a maximum of 50% of the Lot area.

(5) **Grading.**

(i) Grading in excess of the maximum "by-right" Grading quantities listed in Subparagraph (1) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total Lot size in cubic yards.

(ii) For a property which fronts onto a Standard Hillside Limited Street of Larger, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import or export greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards; calculated pursuant to Subparagraph (2) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than

750 cubic yards; calculated pursuant to Subparagraph (2) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

(6) **Off-Street Parking.** Reduce the number of off-Street parking spaces required by Subparagraph (2) of Paragraph (g) of Subdivision 10 of Subsection C of Section 12.21 of this Code.

(7) **Street Access.** The construction of Buildings and Structures on Lots in the R1, RS, RE, and RA Zones which:

(i) **Adjacent Minimum Roadway Width.** Do not meet the requirements of Subparagraph (2) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code because they front on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet.

(ii) **Minimum Roadway Width (Continuous Paved Roadway).** Do not meet the requirements of Subparagraph (3) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code because they do not have vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area.

(b) **Findings.** The Zoning Administrator shall find that approval of any use in this Subsection is in conformity with the public necessity, convenience, general welfare and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan, and that the approval is consistent with the following applicable findings:

(1) **Setback Requirements.** That the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements.

(2) **Additions to Structures Existing Prior to August 1, 2010.** That the increase in Residential Floor Area will result in a Building or Structure which is compatible in scale with existing Structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.

(3) **Height.** That the increase in height will result in a Building or Structure which is compatible in scale with existing Structures in the vicinity; and that the approval is necessary for the preservation and

enjoyment of a substantial property right possessed by other property in the vicinity.

(4) **Lot Coverage.** That the increase in Lot coverage will result in a development which is compatible in size and scale with other improvements in the immediate neighborhood; and that the increase will not result in a loss of privacy or access to light enjoyed by adjacent properties.

(5) **Grading.**

(i) That Grading in excess of the absolute maximum Grading quantities listed in Subparagraph (1) of Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of this Code is done in accordance with the Department of City Planning – Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.

(ii) That the increase in the maximum quantity of earth import or export will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the Street improvements and traffic of the Streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.

(6) **Off-Street Parking.** That the reduction of the parking requirements will not create an adverse impact on Street access or circulation in the surrounding neighborhood; and that the reduction will not be materially detrimental or injurious to the property or improvements in the vicinity in which the Lot is located.

(7) **Street Access.**

(i) That the vehicular traffic associated with the Building or Structure will not create an adverse impact on Street access or circulation in the surrounding neighborhood; and

(ii) That the Building or Structure will not be materially detrimental or injurious to the adjacent property or improvements; and

(iii) That the Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.

(iv) That the site and/or existing improvements make strict adherence to Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code impractical or infeasible.

(c) **Procedures.** An application pursuant to this Subdivision 28 shall follow the procedures set forth in Section 12.28 C.1, 2 and 3 of this Code. Except that public hearings for fences, walls, and retaining walls within required yards may not be required if the applicant submits with the application the written approval of the owners of all properties abutting, across the Street or alley from, or having a common corner with the subject property.

(1) **Import/Export (Haul Route) Review.** Upon filing an application pursuant to this Subdivision 28 for the import or export of earth materials pursuant to the authority granted in Subparagraph (5) of Paragraph (a) of this Subdivision, the Zoning Administrator shall request that the General Manager of the Department of Transportation investigate the circumstances of the proposed import or export of earth materials and the effect thereof upon the public health, safety, and welfare. The Zoning Administrator shall request the City Engineer to determine the effect of any import or export on the structural integrity of the public Streets and to determine the effect on public safety relative to Street alignment, width, and Grade.

In taking action on such Zoning Administrator Determination, the Zoning Administrator shall impose conditions of approval to mitigate any detrimental effects of the hauling operations necessary to import or export earth, including but not limited to: limiting truck weight, length and/or speed; and other conditions of approval as may be necessary to ensure repair of damages to public Streets along the hauling route that may reasonably be expected to be caused by hauling operations. Such additional conditions may include a condition that the developer shall file a bond for the benefit of the City. Any such bond shall be in a form approved by the City Attorney, executed by the developer and a corporate surety authorized to do business in the State in an amount sufficient to cover the repair of any damage to the public Streets reasonably expected to be caused by the hauling operations. The conditions of the bond shall guarantee to indemnify the City for all costs and expense in repairing the damaged Streets or other public facilities. In lieu of a surety bond, the developer may file a cash bond with the Department upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted may be in the form of cash or negotiable United States securities. The term of such effect until the

completion of the hauling operations and subsequent inspection of the affected public Streets by the Department of Public Works.

(d) **Conditions for Approval.** In approving the uses and activities authorized in this Subdivision, the Zoning Administrator may impose those conditions he or she deems necessary to remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning.

Sec. 13. Subsection A of Section 12.28 of the Los Angeles Municipal Code is amended to read:

A. Adjustments. The Zoning Administrator shall have the authority to grant adjustments in the Yard, area, Building line and height requirements of Chapter I of this Code. An adjustment shall not be permitted for relief from a density (Lot area per unit) or height requirement, excluding fences and hedges, if the request represents an increase of 20 percent or more than what is otherwise permitted by this Code. A request for an increase of 20 percent or more shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

The Zoning Administrator shall also have the authority to grant adjustments in Residential Floor Area of no more than a ten percent increase beyond what is otherwise permitted by Chapter I of this Code. A request for an increase in Residential Floor Area greater than ten percent shall be made as an application for a variance pursuant to Section 12.27 of this Code, except as may be permitted by other provisions of Chapter I of this Code.

Sec. 14. Subdivision 2 of Subsection C of Section 12.28 of the Los Angeles Municipal Code is amended by adding a new Paragraph (d) to read:

(d) For R1, RS, RE, and RA Zoned properties in the Hillside Area, as defined in Section 12.03 of this Article, the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.

Sec. 15. The list contained in Paragraph (b) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended by adding the following new entry: "HS" Hillside Standards Overlay District.

Sec. 16. Subparagraph (2) of Paragraph (c) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read:

(2) **Additional Requirements for Application.** One or more of the owners or lessees of property within the boundaries of the proposed

district may submit a verified application for the establishment of a district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District, a Neighborhood Stabilization Overlay District, or a Hillside Standards Overlay District shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district. An application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission, or Director of Planning, the signatures of the property owners or lessees shall not be required.

Sec. 17. Subsubparagraph (iii) of Subparagraph (3) of Paragraph (c) of Subdivision 1 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read:

(iii) **Time for Commission to Act on Application.** The City Planning Commission shall act on an application to establish an "O", "S", "G", "K", "CA", "POD", "CDO", "MU", "FH", "SN", "RFA", "NSO", or "HS" District within 75 days from the date of the filing of the application. The City Planning Commission shall act on an application to establish an "RPD" District within 75 days from receipt of the Subdivision Committee report and recommendation. The City Planning Commission shall act on proceedings initiated by the Council within 75 days of receipt of that action from the Council, or within the time that the Council may otherwise specify.

Sec. 18. Article 3 of Chapter I of the Los Angeles Municipal Code is amended by adding a new Section 13.16 to read:

SEC. 13.16. "HS" HILLSIDE STANDARDS OVERLAY DISTRICT.

A. Purpose. This Section sets forth procedures and guidelines for the establishment of "HS" Hillside Standards Overlay Districts in single-family residential neighborhoods in designated Hillside Areas, as defined in Section 12.03 of this Chapter, throughout the City. The purpose of the "HS" Hillside Standards Overlay District is to permit Residential Floor Area, height, and Grading limits in the R1, RS, RE, and RA zones to be higher or lower than normally permitted by this Code in areas where the proposed overlay will further enhance the existing scale of homes and/or help to preserve the existing character of the neighborhood as effectively as the limitations or

requirements otherwise established in this Code; and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.

B. Establishment of the District. The procedures set forth in Section 12.32 S of this Code shall be followed, however, each "HS" Hillside Standards Overlay District shall include only properties in the RA, RE, RS, or R1 zones. The overlay shall not generally be less than 100 acres in area; however, the 100 acres do not need to be within one contiguous boundary as long as no one subarea is less than 25 acres in area, and the entire 100 acres is located within an overall area of 200 contiguous acres. The precise boundary of a district may be adjusted for urban features such as topography, freeways or Streets/Highways. Boundaries shall be along Street Frontages and shall not split parcels. An "HS" Hillside Standards Overlay District may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The "HS" Hillside Standards Overlay District shall include contiguous parcels, which may only be separated by public Streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for, or initiation of, an individual overlay.

C. Development Regulations. The Department of Building and Safety shall not issue a Building permit for a residential Structure within an "HS" Hillside Standards Overlay District unless the residential Structure conforms to the regulations set forth in a specific "HS" Hillside Standards Overlay District. The development regulations for each "HS" Hillside Standards Overlay District shall be limited to changes in the numerical values of the Residential Floor Area, height, and Grading limits in the R1, RS, RE, and RA zones stated in this Chapter (Subdivision 10 of Subsection C of Section 12.21 – Paragraphs (a) Residential Floor Area, (d) Height Limits, and (f) Grading) and shall not result in a substantial deviation in approach, method of calculation, or measurement from the corresponding language already in place in this Chapter I. The development regulations shall be determined at the time the overlay is established. The development regulations shall serve to enhance the existing or envisioned character of the overlay.

Sec. 19. Subsection U of Section 19.01 of the Los Angeles Municipal Code is amended to read:

U. Hillside. Application pursuant to Section 12.21 A.17 of this Code to permit increased Lot coverage, reduced parking or additional height for One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map (Section 12.24 X.11); and application to permit construction of or addition to One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet; and application to permit construction of, or addition to, One-Family Dwellings on properties designated Hillside Area on the Department of City Planning Hillside Area Map on Substandard Hillside Limited Streets where

providing parking requires the Grading of 1,000 or more cubic yards from the Lot (Section 12.24 X.21).

Application pursuant to Section 12.21 C.10 and Section 12.24 X.28 on properties zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map to:

1. Reduce Front and Side Yard setback requirements;
2. Permit additions of up to 1,000 square-feet to Structures existing prior to August 1, 2010;
3. Exceed the maximum envelope height;
4. Increase the maximum Lot coverage;
5. Exceed the Grading, import and export limits;
6. Reduce the number of required off-street parking; or
7. Permit construction of or addition to One-Family Dwellings on properties which front onto Substandard Hillside Limited Streets, which are improved to a width of less than 20 feet.

Filing Fee	Fee for Each Appeal
\$4,698	85% of filing fee

Sec. 20. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, by a majority vote of all of its members, at its meeting of

_____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By Kenneth Fong
KENNETH FONG
Deputy City Attorney

Date 2-11-2011

File No(s). CF 10-1001; CPC 2010-581-CA

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted.

February 9, 2011

See attached report

Michael J. Logrande
MICHAEL J. LOGRANDE
Director of Planning

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

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INFORMATION
www.planning.lacity.org

February 9, 2011

CPC File No.: 2010-581-CA (not transmitted)
Council File No.: 10-1001 (not transmitted)
Council District No.: All

The Honorable Carmen A. Trutanich
City Attorney
Room 1800, City Hall East
Mail Stop 140

Attention: Kenneth Fong
Deputy City Attorney

RE: BASELINE HILLSIDE ORDINANCE

Proposed amendments to the Los Angeles Municipal Code (LAMC) to establish new regulations for single-family zoned properties which are designated as Hillside Area. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); amendments to the existing Single-Family Residential Floor Area definition; changes to the height limits and how they are calculated; creation of new grading regulations; creation of a Hillside Standards Overlay District that would allow individual neighborhoods to adjust the baseline limits to better fit their community's character and scale; and establishment of, or revisions to existing discretionary review processes for projects that deviate from the proposed FAR, height, and grading regulations.

Dear Mr. Trutanich:

At its meeting of May 27, 2010, following a public hearing, the City Planning Commission recommended the adoption of the attached findings (Attachment I) and draft Baseline Hillside Ordinance provisions amending various sections of the Chapter 1, Article 2 of the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area on the Department of City Planning Hillside Area Map (per Section 12.03 of the LAMC).

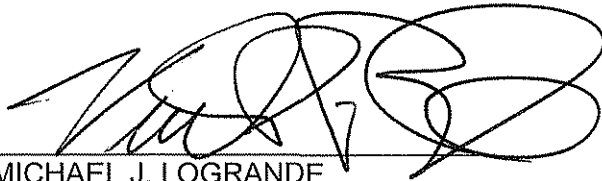
Subsequently, at its meeting of July 27, 2010, the Planning & Land Use Management Committee of the City Council also recommended the adoption of the attached findings (Attachment I) and the City Planning Commission recommended draft Ordinance provisions to

the City Council with minor technical amendments that incorporated the Department of Building and Safety's requested clarifications.

Most recently, at its meeting of August 4, 2010, the City Council approved the attached findings (Attachment I) and the proposed Baseline Hillside Ordinance provisions with three more technical, non-substantive amendments. As part of its action, the City Council also requested that your office prepare and present an Ordinance, as approved by the City Planning Commission, amending various sections of the Chapter 1, Article 2 of the LAMC to establish new regulations for single-family zoned properties which are designated as Hillside Area.

The Department of City Planning, in conjunction with your office, has prepared the Baseline Hillside Ordinance which incorporates the requested changes, which is enclosed with this letter.

The Ordinance transmitted by your office in a letter dated February 2, 2011 remains consistent with the policies established in the City Planning Commission on May 27, 2010, in that the amendments continue to establish the same set of regulations that make up the core of their recommended Baseline Hillside Ordinance provisions and only serves to clarify the application of those provisions. Therefore I find that the revised Ordinance continues to conform to the original action of the City Planning Commission, and hereby recommend approval under the authority granted by Charter Section 559 and the City Planning Commission.

A handwritten signature in black ink, appearing to read 'M. Logrande', written over a horizontal line.

MICHAEL J. LOGRANDE
Director of Planning

Attachments:

Attachment I – City Council Findings

ATTACHMENT I

CITY COUNCIL FINDINGS

The following are the findings of the City Council:

General Plan/Charter Findings

1. General Plan Findings

In accordance with **Charter Section 556**, the proposed code amendments are in substantial conformance with the purposes, intent, and provisions of the General Plan in that they establish regulations that would reduce the development potential of single-family residential structures, in terms of size, mass, and land alteration on single-family zoned lots located in Hillside Areas.

The proposed code amendments are consistent with, and help to further accomplish the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan:

- Goal 3B** Preservation of the City's stable single-family residential neighborhoods.
- Objective 3.5** Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.
- Policy 3.5.2** Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.
- Policy 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.
- Objective 5.5** Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

In order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible, the proposed Residential Floor Area reduction is necessary. The proposal establishes a reduced sliding Residential Floor Area scale based on zone, lot size and slope, creating a tailored Residential Floor Area that takes into account the terrain conditions of each hillside lot. The proposed Residential Floor Area calculation takes into consideration the varying topography and lot sizes within each zone in order to achieve compatibility and reflect the scale and identity of both the zone classification and existing hillside development. The proposed Residential Floor Area calculation also coincides with the methodology and base Residential Floor Areas put forth in the recently adopted Baseline Mansionization Ordinance (BMO).

The proposed code amendment promotes development that will further limit the intensity of development in hillside areas through reduced Residential Floor Areas, massing and articulation, additional new height requirements, and new grading limits while providing the allowable density. For example, building a 3:1 Floor Area Ratio residential box-like structure which could potentially be larger in area than the lot that it sits on will no longer be permitted due to the code amendment's reduced Residential Floor Area requirement which will not only provide a smaller building envelope but promote compatibility with existing hillside neighborhood character, identity and scale.

2. Community Plans.

The Code Amendment will promote the objectives, policies and goals of the various Community Plans that contain Hillside Area by continuing to protect the character of the existing single-family neighborhood. By instituting more restrictive development regulations, the proposed provisions require new development to be compatible with the existing site conditions and overall neighborhood character, while at the same time providing some environmental benefits. As new houses are developed in conformance with the proposed regulations, and are built with more appropriate floor area, new grading limitations and a new way to calculate height which encourages terracing rather than tall boxy structures, impacts related to grading, aesthetics and the natural landscape and vegetation could be lessened.

The City of Los Angeles General Plan Land Use Element is subdivided into 35 community plans. The proposed Ordinance helps to accomplish the following objectives, and policies of various Community Plans which appeared consistently throughout the Community Plans that contain hillside areas:

- Objective 1-5** To limit the intensity and density in hillside areas.
 - Policy 1-5.3** Consider the steepness of the topography and suitability of the geology in any proposal for development within the Plan Area.
- Objective 1-5** To limit the intensity and density of development in hillside areas.
 - Policy 1-5.1** Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas.
 - Policy 1-5.2** Ensure the availability of paved streets, adequate sewers, drainage facilities, fire protection services and facilities, and other emergency services and public utilities to support development in hillside areas.
- Objective 9-1** Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.

Policy 9-1.1 Promote land use policies that enhance accessibility for firefighting equipment and are compatible with effective levels of service.

Objective 1-6 To limit residential density and minimize grading in hillside areas.

Policy 1-6.3 Require that grading be minimized to reduce the effects on environmentally sensitive areas.

Objective 1-6 To limit the intensity and density in hillside areas to that which can reasonably be accommodated by infrastructure and natural topography.

Policy 1-6.6 The scenic value of natural land forms should be preserved, enhanced and restored. Wherever feasible, development should be integrated with and be visually subordinate to natural features and terrain. Structures should be located to minimize intrusion into scenic open spaces by being clustered near other natural and manmade features such as tree masses, rock outcrops and existing structures.

Objective 1-3 Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policy 1-3.3 Preserve existing views in hillside areas.

The current FAR of 3:1 allows large, box-like structures that compromise the character of established neighborhoods. In order to address this problem the proposed Baseline Hillside Ordinance changes the FAR so it is based on zone, lot size, and steepness of slopes on a hillside property, rather than lot size alone. This approach takes into account that there are many differences in hillside lots, and that the Code needs to consider the varying hillside conditions when determining Residential Floor Area limits. In addition, in order to better implement the goals and objectives of the General Plan, the Zoning Code assigns a certain scale/character to each zone through setbacks and height regulations for instance. The Slope Band method proposes adding another component to each zone through the RFA calculation. When the appropriate zone is applied to a specific property, the resulting Slope Band RFA would be consistent with the intended scale of that community.

The citywide FAR reduction is necessary in order to preserve and maintain the scale of existing single-family neighborhoods and ensure that future development is more compatible. The proposed Ordinance includes 20% or 30% Residential Floor Area bonuses that incentivize better design, as in the BMO, with additional options related to grading practices intended to minimally disturb the natural topography or to further reducing the quantities of grading. A lot that is considered "flat" (entirely made up of 0% to 15% slopes) would essentially be treated the same as it would in the BMO, in terms of the amount of development. In addition, the proposal includes a provision for to permit additions of less than 500 square feet to existing structures without discretionary action in order to reduce the possibility for discretionary actions for small additions.

Furthermore, the code amendment addresses the issue of building mass from the public right-of-way and neighboring properties and discourages large and tall box-like structures, which the community has specifically identified as a problem. The proposed ordinance includes the BMO height provision that ties the maximum height of a building to the slope of the roof but also introduces a new way to calculate height which follows the slope of the lot. As currently proposed, when a building or structure has a sloped roof (25% slope or greater) the current height limits apply: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. However, when a structure has a flat roof (less than 25% slope) the maximum height is lower: 28 feet for the R1, RS, and RE9 zones, and 30 feet for the RE11, RE15, RS, RE20, and RE40 zones. In addition, depending on the zone and height district a unique envelope height limit is applied, which encourages the terracing of structures up and down a hillside. Thus, with a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties. The proposed provisions help to ensure that the mass of buildings is broken up, and that box-like structures have a lower height thereby further reducing the “looming” factor which has been brought up by the public on several occasions.

The current Floor Area definition, which currently applies to single-family zoned lots in the Hillside Area, is inadequate because it is geared to commercial and industrial structures and does not include portions of a building that add significantly to the mass and bulk of residential structures. The BMO created a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. With the amendments to the existing definition to accommodate hillside conditions, the revised definition will continue to effectively address the portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot for both the “flats” and the Hillside Area. Furthermore, the proposal includes a provision to encourage outdoor space that is located within the structure, but not fully enclosed in lieu of grading a flat pad for a backyard.

Currently, there are no limits to the quantity of grading or to the amount of earth one can import to or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size of the lot, and restrict the volume of earth allowed to be imported and exported from a property. The proposed regulations are based on a new limit which utilizes a base quantity of grading plus a percentage of the lot size, with an absolute maximum that varies per zone. Projects which involve more than the limits can be approved through a discretionary review process, but would be subject to findings, environmental review and conditions of approval. The proposed Ordinance also ensures that any grading over the limits will be done using landform grading methods which are meant to mimic existing terrain.

Similar to the BMO's Residential Floor Area District, the Baseline Hillside Ordinance establishes a Hillside Standards Overlay that would allow individual neighborhoods that have determined they have unique characteristics to tailor the size limits as well as the other regulations covered by this Ordinance in order to preserve the existing character. This provision puts the power to determine the scale of existing neighborhoods directly into the

community's hands and will no longer be established in a piecemeal, project-by-project manner as is currently the case.

Lastly, the proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, staff is attempting to make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

2. In accordance with **Charter Section 558(b)(2)**, the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because the proposed measures are needed to regulate single-family residential development in the Hillside Area in order to avoid the further degrading effects of out-of-scale development in the various hillside neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1, restrictive height limits and the lack of grading limits.

a) Reduction of Existing FAR for Single-Family Zones and 20% RFA Bonus

Baseline FAR Reduction

The current FAR of 3:1 for single-family residential zones is extremely permissive and has resulted in the construction of large structures that are incompatible with the existing surrounding neighborhoods. The proposed reduction in FAR is necessary in order to directly address the issue of house size, prevent the worst case scenarios, establish a new base from which to work for future code amendments and/or overlays dealing with mansionization, and for the protection of neighborhood character.

In order to calculate the maximum Residential Floor Area permitted, a site survey showing two-foot contours must be prepared by a licensed surveyor. The survey shall identify the total area of the lot, in square feet, according to the following slope intervals:

1. Slope less than 15 percent;
2. Slope at least 15 percent, but less than 30 percent;
3. Slope at least 30 percent, but less than 45 percent;
4. Slope at least 45 percent, but less than 60 percent;
5. Slope at least 60 percent, but less than 100 percent;
6. Slope greater than 100 percent.

The maximum Residential Floor Area contained in all buildings and accessory structures shall be determined by multiplying the portion of the lot in each slope interval by the corresponding FAR for the slope band to obtain the RFA for the slope band, then adding all RFA values together to reach the total RFA.

The proposed Slope Band FAR Method addresses the need to consider the topography of a property when determining the amount of development that can occur on a property, and takes into account the fact that every hillside lot is different.

Another reason for the proliferation of out-of-scale structure is the use of Buildable Area to determine maximum development potential on a single-family zoned lot. As is the

case for the BMO, the proposed Ordinance utilizes the lot area as a base from which FAR is determined, rather than the Buildable Area currently used in the Municipal Code. By tying development potential directly to lot size and to individual zones, the ratio of house size to lot size is maintained proportionally across different lot sizes within each zone, and the development standards for each of the eight zones are further distinguished.

New Floor Area Ratios for Each Single-Family Zone

There are eight distinct single-family zones affected by the proposed ordinance. The proposed solution reflects the differences in the eight zone designations and establishes a base floor area ratio for each zone, based on lot size. As a direct result, two-story structures will automatically have larger setbacks than single-story structures of the same floor area.

The starting point for each zone in the proposal is the base FAR established in the BMO. Then, as the topography gets steeper, a FAR value that decreases applies. The new base Floor Area Ratios for the portions of the lot with slope less than 15% range from 0.25:1 on RA lots to 0.5:1 on R1 lots and decrease to 0:1 for those portions with slope greater than 100%.

20% or 30% RFA Bonus

The code amendment proposes eight Residential Floor Area Bonus Options, which aim to enhance the articulation of the structure and reduce the environmental and physical impacts on the land itself. The purpose of the Bonuses is to incentivize quality design in single-family development. A 20% bonus can be applied when relying on the calculated Slope Band method to determine the RFA and the 30% bonus can be used when utilizing the guaranteed minimum RFA. The Bonuses include:

- | | |
|--|----------------------------|
| 1) Proportional Stories Option | 6) Minimal Grading Option |
| 2) Front Facade Stepback Option | 7) Green Building Option 1 |
| 3) Cumulative Side Yard Setback Option | 8) Green Building Option 2 |
| 4) 18-Foot Envelope Height Option | |
| 5) Multiple Structures Option | |

Several of the bonus options are directed to lots that are more sloped (i.e. more than 30% grade) whereas some are focused on lots that are generally flat (i.e. less than 15% grade). The Proportional Stories, Front Façade Stepback and Green Building Options were established under the Baseline Mansionization Ordinance, but have been modified or expanded in this code amendment to directly relate to hillside development. In addition, there is an option that directly relate to grading for structures that will incentivize minimal footprints or excavation of the hillside. These options will also help improve public safety as it relates to hauling earth on the local streets to and from the site.

Addition to Existing Structures

A provision has been added by which existing structures are permitted an addition to existing structures of no more than 500 square feet (cumulatively), regardless of its conformance to the proposed Residential Floor Area limits. Accordingly, the Zoning Administrator authority was also increased from 750 square feet to 1,000 square feet.

b) Amend Height Limits for Single-Family Zones in the Hillside Area

Currently, flat and sloped roofs have the same height limits. Even with the decreases in the allowable FAR and the use of the design alternatives which make up the 20% or 30% Residential Floor Area Bonus, there may still be concern about visual bulk as seen from the street. The BMO reduced this effect by changing the height provisions and tying the maximum height of a building to the slope of a roof.

The proposed Baseline Hillside Ordinance will carry forward the same provisions, but will adapt the measurement of these heights to address hillside conditions by including a new method of measuring height, the Envelope Height. The new Envelope height would be the vertical distance from the grade of the site to a projected plane at the roof structure or parapet wall located directly above and parallel to the grade. The proposed regulations utilize a new method of calculating height which would follow the slope of a lot and encourages the terracing of structures up and down a slope, which helps to visually break up mass, and discourages large and tall box-like structures.

c) Amend the Single-Family Residential Floor Area Definition

Single-Family Residential Floor Area

The existing Floor Area definition does not differentiate between the various building types and zones, and is applied to all development in the same manner, unless otherwise stated. This means that the floor area of a single-family home is calculated in the same manner as a commercial shopping center or an industrial park, yet the structures are very different. The existing Floor Area definition also excludes areas such as garage space, atriums, and stairwells that contribute significantly to the mass and scale of residential structures.

The Baseline Mansionization Ordinance established a new Residential Floor Area definition as a method of calculating floor area specifically crafted for residential development. The definition is balanced to include most portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot.

However, the Baseline Hillside Ordinance is proposing to amend the Residential Floor Area definition, by adding language specific to hillside development. The desired objective is to maintain a uniform definition for all development within the Single-Family Zones. The proposal changes the method to exempt covered parking so it is based on a ratio of required covered parking, includes provisions to increase the square footage for covered porches, patios or breezeways, to exempt porches on downhill lots enclosed by retaining walls, allows rooms with ceilings taller than 14 feet to be exempted so long as the exterior wall is only 14 feet and exempts basements as BMO did, but accounts for the varied topography in the hillside areas so now not all of the basement walls need to exceed 2 feet in height above the finished or natural grade. These changes make the Residential Floor Area definition more relevant to the hillside topography and address the concerns of the public.

d) *Establish New Grading Limits for Single-Family Zones in the Hillside Area*

Currently, there are no limits to the quantity of grading or to the amount of earth one can import or export from a property, resulting in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size and zone of the lot, and restrict the volume of earth allowed to be imported and exported from a property.

The total quantities of grading, both Cut and Fill would be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum amount that corresponds to each zone. The proposal was included to address the concern raised by community stakeholders that current grading practices were contributing to slope instability and the deterioration of the City's hillsides.

In addition, for any grading over the limits would require a discretionary action and the Zoning Administrator would require the grading to be done in conformance with the Planning Guidelines Landform Grading Manual. The purpose of this requirement is to better reflect the original landform and result in minimum disturbance to natural terrain. Notching into hillsides would be encouraged so that projects are built into natural terrain as much as possible. This requirement was imposed in order to address the potential adverse environmental impacts on the natural terrain.

Furthermore, the new ordinance amends what grading activities are included in the Import/Export limits in order to have structures to be tucked into the hillside. The previous proposal did not exempt any grading activity from the limits on Import/Export, which inadvertently encouraged the structure to skirt the hillside to avoid exporting or importing any earth. However, the current proposal will not count exempted grading (i.e. earth under the structure, driveway or 500 cubic yards for required parking) that is imported or exported towards the Import/Export limits.

e) *Consolidation of Single-Family Residential Hillside Code Provisions.*

The proposed Ordinance will also consolidate as many of the various provisions in the Zoning Code pertaining to hillside development into one centralized location. In order to make all single-family hillside regulations more accessible and easier to understand, the proposed amendments will make minor revisions to format and clarification of existing language. This new section will organize the provisions by topic, utilizing tables, charts and graphics wherever possible. It is important to note that these other provisions being migrated to this new location are not intended to result in policy changes.

f) *Amending the Zoning Administrator's Authority to Include Adjustments to Single-Family Residential Floor Area, Height and Grading Limits*

Residential Floor Area

The proposed Code Amendment would clarify that the Zoning Administrator can grant adjustments to the Single-Family Residential Floor Area in the Hillside Area. While the

proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the 20% or 30% RFA Bonus and the by-right 500 square-foot additions to structures existing prior to the effective date of the ordinance.

The Zoning Administrator will continue to have the authority to grant an Adjustment of no more than 10% to the maximum Residential Floor Area limits for a property; any increase larger than 10% would require a Variance.

The Zoning Administrator would have the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date which exceed the proposed maximum Residential Floor Area limits. The proposed Ordinance will carry over the existing provision which allows for additions to existing structures of no more than 1,000 square feet, but will make it a discretionary action when the addition exceeds the “by-right” 500 square feet addition. These additions would be required to maintain the height of the existing structure or comply with the proposed height limits, whichever is greater.

Height

Currently the Zoning Administrator has the authority to grant adjustments of height up to a 20% increase based on the current method of measuring height, which measures from the highest point of the roof structure to the lowest point of the structure within five feet from the structure. The new proposal would continue to permit the Zoning Administrator to have the authority to allow buildings or structures to exceed the maximum height requirements, except that it would apply to Envelope Height. However, the increase in height may not result in a building or structure which exceeds an overall height of 45 feet (measured from the lowest and highest points of a structure); any increase greater than that would require a Variance. In addition, the Zoning Administrator must make the finding that the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the area vicinity.

Grading

Because there are no grading limits in the current code, the Zoning Administrator has not had authority to grant deviations from grading limits. This proposal gives the Zoning Administrator the authority to grant limited deviations from the grading requirements such as granting the true value of the grading maximum (i.e. grading in excess of the established limits for each zone, if the quantity does not exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards) or deviations in the amount of import and export. The proposal includes additional findings to protect the natural terrain.

Although the measures in this ordinance are not tailored to any specific neighborhood and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established hillside neighborhoods around the City created by the current development standards.

The proposed code amendments substantially advance a legitimate public interest in that they would further protect single-family residential neighborhoods from economic forces, such as periodic real estate market “booms”, which often leads to structures that are built-out to the maximum size allowed in the LAMC. Good zoning practice requires new hillside development standards for single-family residential zones as the housing stock is updated and replaced. This proposed ordinance accomplishes this requirement.

The proposed code amendments are not arbitrary as Department staff has thoroughly analyzed various approaches and best practices, as well as public input/testimony, and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of out-of-scale single-family development in the City’s Hillside Areas in a way that is both equitable and meaningful. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential hillside neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City of Los Angeles.

3. In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney’s Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director’s action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.
4. **California Environmental Quality Act (CEQA).** The Department of City Planning on Friday, March 12, 2010, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2010-582-ND, Exhibit B) was prepared for the ordinance after a review of the proposed ordinance for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a negative effect on the environment. The attached Negative Declaration was published in the *Los Angeles Times* on Thursday, March 18, 2010, and reflects the lead agency’s independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Planning Department in Room 621, 200 North Spring Street.

Based upon the above findings, the proposed code amendment is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.