

ORDINANCE NO. _____

An ordinance amending Ordinance No. 173,749, the Vermont/Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan) to create a new Subarea F.

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

Section 1. Subsection A of Section 6 of Ordinance No. 173,749 is amended to read as follows:

- A. **Designation of Subareas.** The Specific Plan area is divided into six Subareas, as shown on Map 1. The Subareas are designated as follows:

Subarea A – Neighborhood Conservation
Subarea B – Mixed Use Boulevard
Subarea C – Community Center
Subarea D – Light Industrial/Commercial
Subarea E – Public Facility
Subarea F – Large Scale Commercial Node

Sec. 2. Subsection E of Section 6 of Ordinance No. 173,749 is amended to read as follows:

- E. **Community Facilities.** The floor area of a Community Facility shall not be included in the calculation of the building floor area in determining the permitted Floor Area Ratio (FAR), provided the use is limited to a Community Facility use for the life of the Project and the Applicant executes and records a covenant to that effect as described in Section 13 of this Specific Plan. Community Facilities shall be a permitted use in any zone in Subareas A, B, C, E, and F of this Specific Plan Area.

Sec. 3. Subsection G of Section 6 of Ordinance No. 173,749 is amended to read as follows:

- G. **Childcare Facility Requirements.** In Subareas B, C, D, and F, any commercial and Mixed Use Projects which total 100,000 net square feet or more of non-residential floor area shall include childcare facilities to accommodate the child care needs of the Project employees for pre-school children, including infants, and shall meet the following requirements:

1. **Calculation of Childcare Facility Requirement.** The size of the child care facility necessary to accommodate commercial, Mixed Use, Unified Hospital Development Site or Replacement In-

Patient Facilities Project employees' child care needs shall be: one square foot of floor area of an indoor child care facility or facilities, for every 50 square feet of net, usable non-residential floor area; or to the satisfaction of the Department of Recreation and Parks consistent with the purpose in Section G.

- a. **Ground Floor Play Area.** In addition to the requirements specified in Subsection G 1 above, the Applicant shall provide outdoor play area per child served by the child care facility as required by the California Department of Social Services, Community Care Licensing Division, Title 22.
 - b. **Setback and Throughways.** The child care play area at a child care facility provided as required by this subsection, on- or off-site, or funded by an in lieu cash payment, shall count on a one-for-one square foot basis toward either any building setback requirements of Section 6 L or pedestrian throughways as required in Section 9 G 2.
2. **Floor Area.** The floor area provided for a child care facility shall be used for that purpose for the life of the Project. The square footage devoted to a child care facility shall be located at the ground floor, unless otherwise permitted by State Law, and shall not be included as floor area for the purpose of calculating permitted floor area on a lot or within a Unified Hospital Development.
3. **Off-site Provision.** The child care facility may be off-site, provided it is within 5,280 feet of the Project.
4. **Cash Payment In Lieu of Floor Area and Play Area.** At the Applicant's request, the Department of Recreation and Parks may authorize a cash payment in lieu of some or all of the minimum indoor square footage and play area required in Subsection G 1. In lieu cash payments for indoor child care space and outdoor play areas shall be deposited in the City's Child Care Trust Fund.
5. **Certificate of Occupancy.** No certificate of occupancy for a commercial or Mixed Use Project subject to the requirement to include floor area and play area for a child care facility shall be issued prior to the issuance of the certificate of occupancy for the child care facility required pursuant to this Subsection, and in accordance with Section 13 of this Specific Plan, or a cash deposit

has been made in the City Child Care Trust Fund in accordance with Subdivision 4 above.

6. **Credit for Existing Child Care Facility and Play Area.**
 - a. **Indoor Facility.** The Department of Recreation and Parks shall authorize credit for existing child care provided on or near the site of the Project against the minimum required child care facility square footage. The Department of Recreation and Parks shall calculate the credit as one square foot of credit per one square foot of existing indoor child care facility that will be made available to the employees of the Project. The existing child care facility must be owned by the Project owner and located within 750 feet of the Project in order to receive credit. Child care credit shall be inventoried by the Department of Recreation and Parks so that the same square footage of existing child care facility is only credited once.
 - b. **Outdoor Play Area.** The Director of Planning shall authorize credit for existing ground level outdoor play areas provided within 750 feet of the Project site toward the minimum required open space, building setback, or pedestrian throughway requirements. The existing play area must be owned by the Project owner and located within 750 feet of the Project in order to receive credit. The Director shall calculate the credit as one square foot per one square foot of existing outdoor play area available to the children of the Project employees. Open space credit shall be inventoried by the Director so that the same square footage of existing play area is only credited once.
7. **Enforcement.** The Department of Recreation and Parks shall be responsible for monitoring and the Department of Building and Safety shall be responsible for enforcement of the requirements of this Subsection. All Project owners required to provide a child care facility shall submit an annual report to the Department of Recreation and Parks. The report shall document the annual number of children served. The first report shall be due 12 months after issuance of any certificate of occupancy for the child care facility or facilities.

Sec. 4. Subsection N of Section 6 of Ordinance No. 173,749 is amended to read as follows:

- N. **Free Delivery.** An Applicant for any Project containing 40,000 square feet or more of retail commercial floor area shall submit to the Director of Planning, as part of the application for a Project Permit Compliance, a program to provide free delivery of purchases made at the site by residents living within the Specific Plan area.

Projects located in Subarea F containing 40,000 square feet or more of retail commercial floor area, shall implement a program to provide free or subsidized delivery of purchases made at the site by residents living within the Specific Plan area. This program shall contain the proposed delivery pricing and delivery logistics. The delivery pricing shall be comparable to the store's on-line delivery pricing. The notice of delivery availability shall be conspicuously posted inside the store.

Sec. 5. Section 12 of Ordinance No. 173,749 is renumbered as Section 13.

Sec. 6. Section 13 of Ordinance No. 173,749 is renumbered as Section 14.

Sec. 7. Section 14 of Ordinance No. 173,749 is renumbered as Section 15.

Sec. 8. A new Section 12 is added to Ordinance No. 173,749 to read as follows:

Section 12. SUBAREA F LARGE SCALE COMMERCIAL NODE.

75/3.0-MU 75/1.5-C

- A. **Use.** Notwithstanding any provisions of the Code to the contrary, residential uses permitted in the R4 Zone by Section 12.11 of the Code, and commercial uses permitted in the C4 Commercial Zone by Section 12.16 of the Code, Live/Work Quarters and Small Assembly Workshops shall be permitted on any lot located within Subarea F as shown on Map 1, provided that the following requirements are met:
1. **Enclosed Activities.** With the exception of outdoor merchandise displays during sidewalk sales, outdoor eating areas and newsstands, all commercial activities, including storage, shall be conducted wholly within an enclosed building;
 2. **Commercial Corner Exemption.** Notwithstanding any provision of Sections 12.22 A 23 and 12.24 W 27 of the Code to the contrary, and except as otherwise required by this Specific Plan, Projects that constitute a Commercial Corner Development, as defined in

Section 12.03 of the Code, may be developed within Subarea F without first obtaining a conditional use approval pursuant to Section 12.24 W 27 of the Code or having to comply with the requirements and conditions set forth in Section 12.22 A 23 of the Code; and

3. **Delivery Hours.** Deliveries shall only be allowed between the hours of 5:00 a.m. and 12:00 a.m., Monday through Sunday.

B. Height and Floor Area.

1. **Commercial Only Projects.** Projects comprised exclusively of commercial uses of over 100,000 square feet on existing sites of over 3.5 acres in size, within a quarter-mile of a transit station, and within a quarter-mile of freeway on and off ramps, shall not exceed a maximum building height of 75 feet and a maximum FAR of 1.5; provided, however, that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, may be erected up to ten feet above the prescribed height limit established in this section, provided that the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level by a parapet or sloping a roof.
2. **Mixed-Use Project.** The maximum height of any building for a Mixed-Use Project shall not exceed 75 feet; provided, however, that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, may be erected up to ten feet above the prescribed height limit established in this section, provided that the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof. The maximum permitted FAR for a Mixed-Use Project shall be 3.0. Commercial uses in a Mixed-Use Project shall be limited to a maximum FAR of 1.5.

C. Ground Floor Retail.

1. On all streets except Local Streets and Alleys, ground floor space with a linear frontage equal to at least 80% of building street frontage, excluding access to parking, plazas, and pedestrian thoroughways shall be designed to accommodate retail uses, community facilities or other similar active uses.
2. The maximum size of each individual retail establishment or portion of individual retail establishment on the ground floor shall be 15,000 square feet.

D. Transitional Height.

1. **Height Limits.** Notwithstanding any provisions of Section 12.21.1 A 10 of the Code to the contrary, portions of buildings on a lot located within the Subarea shall not exceed the transitional height limits set forth below when located within the distances specified therein from a lot within Subarea A.

Distance	Height
0 to 49 feet	25 feet
50 to 99 feet	33 feet
100 to 200 feet	61 feet

2. **Calculating Distances.** Transitional Height limits as set forth above in Section 12 C of this Specific Plan shall only apply to lots adjoining or abutting a lot in Subarea A and shall not apply to lots separated by a public street.

E. Usable Open Space. Notwithstanding any provisions of Section 12.21 G of the Code to the contrary, Projects constituting a Mixed-Use Project containing two or more residential units or a Project comprised exclusively of residential uses containing two or more residential units shall contain usable open space in accordance with the standards of Section 12.21 G 2 of the Code, with the following exceptions:

1. **Above Grade.** Up to 75% of the common or private open space, regardless of the underlying zone, may be located above the grade level or first habitable room level;
2. **Roof Decks.** Roof Decks, regardless of the underlying zone, may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter.

F. Project Parking Requirements.

1. **Residential.**
 - a. **Minimum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the minimum number of parking spaces required shall be provided at the following ratios: at least one parking space for each dwelling unit having three or fewer habitable rooms, and at least one and one-half parking spaces for each dwelling unit having more than three

habitable rooms, in addition to at least one-quarter parking space for each dwelling unit as guest parking.

- b. **Maximum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the maximum number of parking spaces provided shall be limited to the following ratios: a maximum of one parking space for each dwelling unit having fewer than three habitable rooms, a maximum of one and one-half parking spaces for each dwelling unit having three habitable rooms, a maximum of two parking spaces for each dwelling unit having more than three habitable rooms, and a maximum of one-half parking space for each dwelling unit as guest parking.
 - c. **Guest Parking.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code, guest parking spaces for residential uses in Mixed-Use Projects, as set forth above, shall be provided through shared use of required commercial parking spaces.
- 2. **Bicycles.** Notwithstanding contrary provisions of Section 12.21 A 16 of the Code and regardless of the underlying zone, for Projects with two or more dwelling units, off-street parking spaces for bicycles shall be provided at a ratio of one-half parking space per dwelling unit, and for Projects with non-residential uses, regardless of the underlying zone, off-street parking spaces for bicycles shall be provided at a ratio of one parking space for every 1,000 square feet of non-residential floor area for the first 10,000 square feet of floor area, and one bicycle parking space for every additional 10,000 square feet of floor area. Bicycle parking spaces shall conform to the standards set forth in Section 12.21 A 16 (c) through (h) of the Code, and the Guidelines.
 - 3. **Commercial.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code and regardless of the underlying zone, the following parking standards shall apply to Projects with commercial uses: (i) projects comprised of commercial floor area over 100,000 square feet shall provide a minimum of two parking spaces for each 1,000 square feet of combined floor area of commercial use; (ii) the maximum number of off-street parking spaces which may be provided for all other commercial uses shall be limited to two parking spaces for each 1,000 square feet of combined floor area of commercial uses contained within all buildings on a lot; (iii) a maximum of 50% of the required non-residential parking spaces

may be provided off-site, but within 1,500 feet of the lot for which they are provided.

4. **Electric Vehicle Parking.** Twenty percent of the total provided parking spaces shall be pre-wired for electric vehicles.
5. **Loading.** All project loading shall occur within an off-street enclosed garage. The off-street loading area shall be equipped with doors to provide screening and security. These doors shall remain closed during all loading/unloading activities.
6. **Existing Buildings.**
 - a. **Change of Use.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for a change of use in an existing building to a use permitted by this Specific Plan.
 - b. **Extensive Remodeling of Residential Buildings.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for an Extensive Remodeling of an existing residential or Mixed-Use building so long as the uses are permitted by this Specific Plan.
 - c. **Maintenance of Off-Street Parking.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, off-street automobile parking spaces provided in connection with any existing main building or structure as of the effective date of this ordinance shall be maintained so long as the main building or structure remains, and shall not be reduced.

G. Conversion Requirements.

1. **Acoustics and Utilities.** An acoustical report and a utility metering report meeting the requirements of Section 12.95.2 D 1 (c) (2) c and d of the Code, respectively, shall be required as part of any application for a Project Permit Approval for any Project containing dwelling units.

H. Pedestrian Throughways.

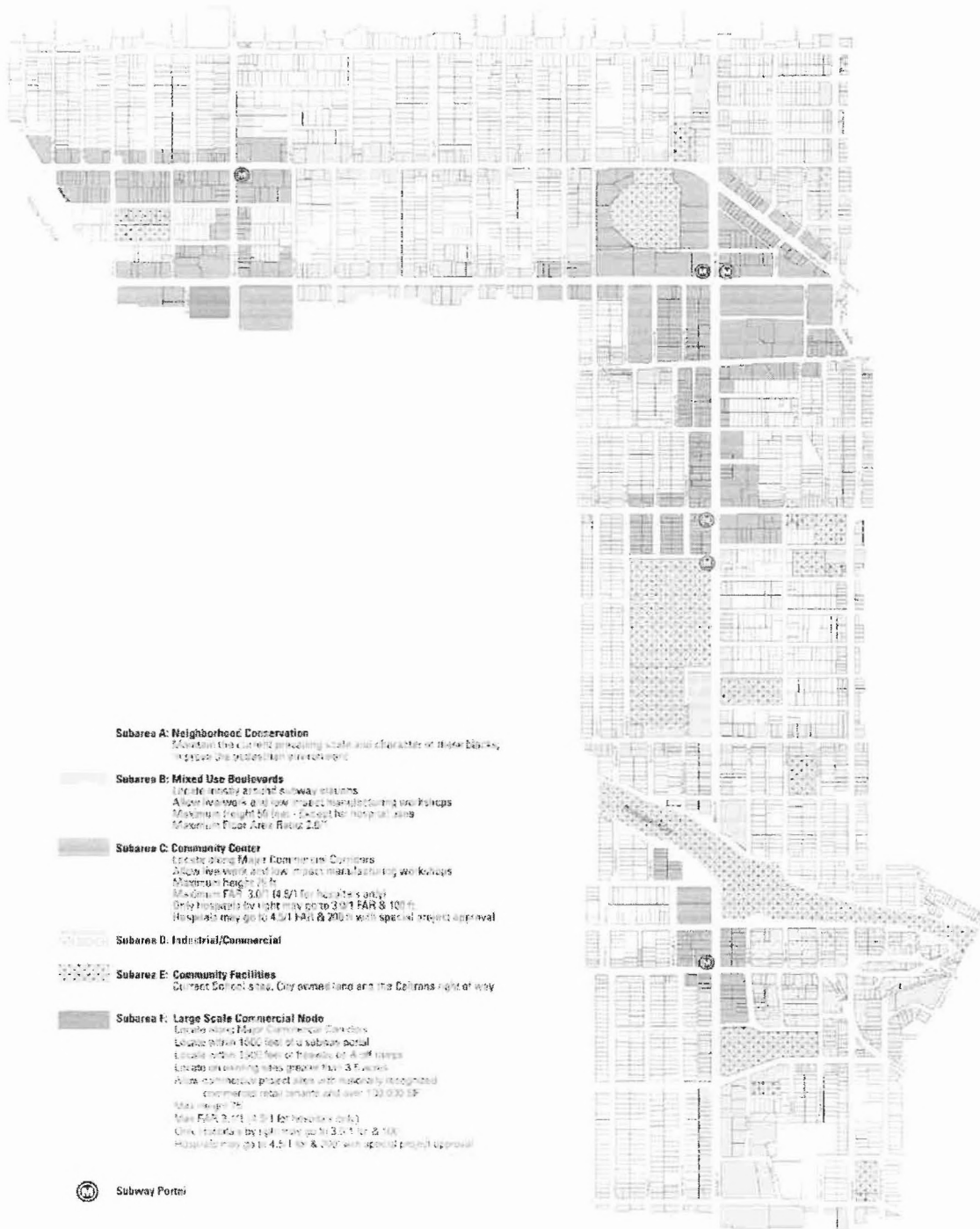
1. Applicants shall provide one public pedestrian walkway, throughway or path for every 250 feet of street frontage for a project. An arcade or through interior pedestrian path shall be provided from the rear property line or from the parking lot or public alley or street if located to the rear of the Project, to the front lot line, and from the side lot line to the lot line on the opposite side. The pedestrian throughway shall be accessible to the public and have a minimum vertical clearance of 12 feet, and a minimum horizontal clearance of 10 feet.
2. **Façade Treatment.** The building façade facing the pedestrian walkway shall substantially conform to the intent of the Specific Plan Guidelines and the City of Los Angeles Citywide Design Guidelines. Any design that substantially meets the intent of the Specific Plan Guidelines shall not require a Specific Plan Exception.
3. **In Lieu Provisions of Throughways.** The Applicant shall provide one or more or a combination of the following in lieu of the throughway requirement in Subdivision 1 prior to the Director granting a Project Permit Compliance:
 - a. **On-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for public open space on-site, meeting the requirements in Section 6 F 2 (c) (3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District; or
 - b. **Off-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for public open space off-site, but within the Specific Plan area, meeting the requirements in Section 6 F 2 (c) (3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District.

I. **Pedestrian Plazas.**

1. Commercial projects over 100,000 square feet in floor area shall provide a plaza. The area of the plaza shall be equivalent to 10% of the project floor area.
2. The plaza shall be privately owned and maintained and accessible to the public a minimum of 14 hours per day.
3. The plaza may contain ancillary commercial uses. These uses may include vendors, outdoor eating areas, push carts, works of art, display facilities, and other similar uses as determined by the Director of Planning. The plaza may also contain elements such as stairways, escalators and elevators.
4. A minimum of 50% of the total plaza area must be provided at the ground level; the remaining square footage may be provided above the ground level but still adjoining to the ground floor portion. A minimum of 25% of the ground level plaza must be open to the sky and have no structures that project over the plaza area.
5. A kiosk for the purpose of way-finding and providing transportation information shall be provided within the public plaza. The kiosk shall include transit information for the Metro Red Line subway and for other Metro and Los Angeles Department of Transportation (LADOT) bus lines operating in the project area. The property owner shall coordinate with Metro to keep kiosk content up-to-date.
6. There shall be one seat for every 1,000 square feet of public plaza. Seating may be comprised of raised planter ledges, benches or non-removable chairs. Private seating for individual commercial establishments shall not satisfy this requirement.
7. Projects shall include an Integrated Mobility Hub at the project site. Prior to the issuance of a Commission Action, applicants and the Director of Planning shall coordinate with LADOT to determine features of the Mobility Hub, which could include space for a bike-share program in the plaza, parking spaces for car-share vehicles, or other services. Coordination efforts may also include Metro to determine suitability for Metro Regional bike-share and other programs.
8. Prior to the issuance of a Commission Action, applicants shall coordinate with Los Angeles County Metropolitan Transportation Authority (Metro) to determine if the project site is eligible to install "Next Bus" signs within the plaza and at adjacent bus stops.

- J. **Yards.** Notwithstanding any contrary provisions of the Code, no front, side or back yards shall be required for the development of any commercial or residential Project on any lot located within Subarea F.
- K. **Development Standards.** Projects shall be in substantial conformance with the Vermont Western Station Neighborhood Area Plan Development Standards and Design Guidelines.

Sec. 9. Map 1 of Ordinance No. 173,749 is amended as follows:



Map I

Vermont/Western Transit Oriented District Specific Plan (Station Neighborhood Area Plan)

CPC 00-1976

Los Angeles Department of City Planning • Circulate Division • Graphics Section • As adopted by the City Council January 23, 2011



Sec. 10. 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, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By Kenneth T. Fong
KENNETH T. FONG
Deputy City Attorney

Date 4-27-16

File No(s). CF 16-0033

Pursuant to Charter Section 559, Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission

April 27, 2016

See attached report.

Vincent P. Bertoni for
Vincent P. Bertoni, AICP
Director of Planning