

RE: Council File Number: [18-1169](#)
5717 Carlton Way, Hollywood 90018

I am speaking out regarding proposed building at 5717 Carlton Way.

I Reviewed the TOC guidelines. Although I am not an architect or politician, I did my best to review this document. I believe the proposed project at 5717 Carlton way does not meet the TOC criteria for Transitional Height Requirement.

If you look at TOC guidelines for Tier 3, page 13-14:

"Tier 3 – The building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the RW1 Zone or more restrictive zone or Specific Plan subarea (see Diagram 1 below)."

The proposed structure will be 78 feet tall. The top of the parking level (Level 3) only comes up to 24 feet. If you draw a line at a 45degree angle from 25' above the adjoining property line, which is a 2 story house at 5721 Carlton way, you will not be able to see over the top of the building at 78' at a 45degree angle. That is because the proposed building comes right up to the property line, there is no side setback. I'm not a mathematician, but at 45 degrees it won't meet minimum requirement.

If the project wants to go the way of Subarea C Vermont/ Western TOD plan, then it DOES NOT meet the minimum parking requirement, according to page 26 of the plan:

"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 fewer than three 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."

The proposed project does not have sufficient quantity of parking. It is 34 units with Less than 3 habitable rooms, and 5 units with 3 habitable rooms. So....

1 parking spot x 34 units less than 3 rooms = 34 spots

1.5 spots for 5 units more than 3 rooms = 4.5 spots

0.25 guest spots for each unit x 39 total units = 9.75 guest spots

Total minimum required spaces is $34 + 4.5 + 9.75 = 48.26$ spots, rounded up is 49 required parking spots.

5717 only offers 34 spots, which does not meet Vermont/ Western TOD plan, and LACKS 15 spots.

Ultimately, if it wants to meet TOC criteria, then it doesn't meet the transitional height requirement.

If it wants to meet the Vermont/ Western TOD criteria, it doesn't meet the parking requirement.

The developers can't just pick and choose which plan to follow to fit whatever criteria they want.

I think you, as city council people, need to review the criteria, and have them fit one or the other, or somehow make sense of it all. But I don't think it makes sense to have the developer pick and choose criteria.

Finally, I don't think this project meets Categorical Exemption by CEQA because it is on a dead end street, with alley on one side, and 2 schools on the block neck to it, so all the building traffic will be turning into the school streets, especially during morning and afternoon hours. Please see Google Maps for Grant Early Education Center (a Preschool), and Grant Elementary school. These 2 public facilities take up the entire block with multiple ins and outs. Lots of kids and parents and you cannot park there between 6am and 3:30pm. Furthermore Wilton St is a thoroughfare between Franklin Ave to the North

and goes all the way down past Wilshire Blvd to the South. Many people use it to get up to the 101 or down from the 101. Therefore it will have significant effects on the traffic quality in the area regarding the school, regarding use of Wilton as a vital route with lots of traffic. Therefore this project needs environmental review.

Perhaps we need a lawyer to clarify exactly what building code to go by, and if added traffic across from 2 schools, and an important, busy NORTH-SOUTH street such as Wilton doesn't mean anything regarding traffic and environment.

Thank you.

Yelena Tumasyan
5623 Carlton Way
Apt #308
Los Angeles CA 90028
516-603-1047

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

CAROLINE CHOE
VAHID KHORSAND
JOHN W. MACK
SAMANTHA MILLMAN
MARC MITCHELL
VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

CASE NO. CPC-2017-1914-MS-C

February 26, 2018

**TECHNICAL CLARIFICATIONS TO THE TRANSIT ORIENTED COMMUNITIES
AFFORDABLE HOUSING INCENTIVE PROGRAM GUIDELINES (TOC GUIDELINES)**

The Transit Oriented Communities Affordable Housing Incentive Guidelines (TOC Guidelines) developed pursuant to Measure JJJ was released on September 22, 2017. Since that time, several technical clarifications have been identified. The Department has updated the TOC Guidelines to reflect these clarifications. All changes are listed in the Activity Log of the Guidelines.

If you have any questions, please do not hesitate to contact Matthew Glesne of the Department of City Planning at (213) 978-2666 or matthew.glesne@lacity.org.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

VBP:KJK:MG:CH:mn

Attachment: TOC Guidelines

Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines)

Implementing Section 6 of Measure JJJ, approved by the voters in November 2016, and added
to Los Angeles Municipal Code 12.22 A.31

Effective September 22, 2017
Revised February 26, 2018

Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines)

ACTIVITY LOG

1. February 16, 2018 Technical Clarifications (No Change to Policies)

<u>Section No.</u>	<u>Change</u>
III.3 Chart 1	Clarified applicability of Rapid Bus intersections to Tier 4
IV.1(a-d)	Added the word “or” between affordability percentages for clarity
VI.1(b)	Clarified allowable floor area ratio incentive
VII.1(a)(ii)1 and 2	Clarified applicability of yard incentive
VII.1(g)(4)	Revised formatting to clarify height exception

Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines)

I. SCOPE AND PURPOSE.

Pursuant to the voter-approved Measure JJJ, Los Angeles Municipal Code (LAMC) 12.22 A.31 was added to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (TOC Program). The Measure requires the Department of City Planning to create TOC Affordable Housing Incentive Program Guidelines (TOC Guidelines) for all Housing Developments located within a one-half mile radius of a Major Transit Stop.

These Guidelines provide the eligibility standards, incentives, and other necessary components of the TOC Program consistent with LAMC 12.22 A.31. In cases where Base or Additional Incentives are permitted, they shall be based off the otherwise allowable development standards for the property found in a zoning ordinance, Specific Plan, Community Plan Implementation Overlay (CPIO), overlay district, or other local condition, law, policy, resolution, or regulation (unless the TOC incentives have been amended per Section III.3). The Guidelines may be modified by the Director with recommendation by the City Planning Commission.

II. DEFINITIONS

1. **Eligible Housing Development** is a Housing Development that includes On-Site Restricted Affordable Units at a rate that meets or exceeds the minimum requirements to satisfy the TOC Incentives and as set forth in Section IV of the Guidelines.
2. **Extremely Low-Income Households** is defined in Section 50106 of the California Health and Safety Code.
3. **Housing Development** is defined as the construction of five or more new residential dwelling units, the addition of five or more residential dwelling units to an existing building or buildings, the remodeling of a building or buildings containing five or more residential dwelling units, including a mixed use development containing residential dwelling units.
4. **Lower Income Households** is defined in Section 50079.5 of the California Health and Safety Code.
5. **On-Site Restricted Affordable Unit** shall mean a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Extremely Low, Very Low or Lower income households, as determined by the Housing and Community Investment Department.

6. **Major Transit Stop** is a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The stations or bus routes may be existing, under construction or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP).
7. **Very Low-Income Households** is defined in Section 50105 of the California Health and Safety Code.

III. TOC AFFORDABLE HOUSING INCENTIVE AREA

1. Each one-half mile radius (2,640 feet) around a Major Transit Stop, as defined in subdivision (b) of Section 21155 of the California Public Resources Code, and provided in Section II of these Guidelines, shall constitute a unique TOC Affordable Housing Incentive Area.
2. Each lot in a TOC Affordable Housing Incentive Area shall be determined to be in a specific Tier (1-4) based on the shortest distance between any point on the lot and a qualified Major Transit Stop, as shown in Chart 1 and Map 1 below. The applicant shall be responsible for providing documentation showing that the location qualifies as a Major Transit Stop and for providing a radius map showing the distance to the Major Transit Stop. Establishment of the appropriate Tier shall take place at the time an application is accepted and the Tier is verified by the City.
3. The TOC Incentives and the required percentages for On-Site Restricted Affordable Units may be adjusted for an individual TOC Affordable Housing Incentive Area through a Community Plan update, Transit Neighborhood Plan, or Specific Plan, provided that the required percentages to receive a development bonus for On-Site Restricted Affordable Units may not be reduced below the percentages set forth in LAMC Section 12.22 A.31(b)(1).

Chart 1. TOC Affordable Housing Incentive Area Tiers

Type of Major Transit Stop	Tier 1 (Low)	Tier 2 (Medium)	Tier 3 (High)	Tier 4 (Regional)
	Distance to Major Transit Stop			
Two Regular Buses (intersection of 2 non Rapid Bus* lines, each w/ at least 15 min. average peak headways)	750 - 2640 ft.	< 750 ft.	-	-
Regular plus Rapid Bus* (intersection of a Regular Bus and Rapid Bus line)	1500 – 2640 ft.	750 – <1500 ft.	< 750 ft.	-
Two Rapid Buses* (intersection of two Rapid Bus lines)	-	1500-2640 ft.	< 1500 ft.	-
Metrolink Rail Stations	1500 – 2640 ft.	750 – <1500 ft.	< 750 ft.	-
Metro Rail Stations	-	-	≤ 2640 ft.	< 750 ft. from intersection with another rail line or a Rapid Bus*

Notes:

To be an eligible TOC Housing Development, the project must meet the Eligibility criteria in Section IV, including being located within one-half mile of a Major Transit Stop. In the case of bus stops, this always requires an intersection of two bus routes. An intersection of two bus lines is defined as the midpoint of the street intersection where two or more eligible bus routes meet or cross, and passengers have the direct ability to transfer on foot. This does not include bus routes that travel along the same street. For Tier 4, an intersection between a rail station and an eligible Rapid Bus line is defined as either the rail station entrance(s) or the Rapid Bus stop when the bus stop is within 660 feet of a rail station entrance and can be accessed by foot.

Distance is measured from the closest point on any lot to the entrance(s) of a rail transit station (including elevators and stairways), or the middle of the street intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. Please see Appendix A for additional information on how to calculate the 15 minute service interval. In the case of a Tier 4 Major Transit Stop, the distance will be measured from the closest point on any lot to the closer of either the entrance of the rail transit station or the bus stop. If no entrance information is known for a station that is under construction, then the distance will be measured from the center of the platform of the station.

*Rapid Bus is a higher quality bus service that may include several key attributes, including dedicated bus lanes, branded vehicles and stations, high frequency, limited stops at major intersections, intelligent transportation systems, and possible off-board fare collection and/or all door boarding. It includes, but is not limited to, Metro Bus Rapid Transit lines, Metro Rapid 700 lines, Metro Orange and Silver Lines, Big Blue Rapid lines and the Rapid 6 Culver City bus.

- IV. ELIGIBILITY.** A Housing Development located within a TOC Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets all of the following requirements:
1. **On-Site Restricted Affordable Units.** In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.
 - a. Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, or 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households.
 - b. Tier 2 - 9% ELI, or 12% VL or 21% Lower.
 - c. Tier 3 - 10% ELI, or 14% VL or 23% Lower.
 - d. Tier 4 - 11% ELI, or 15% VL or 25% Lower.
 2. **Major Transit Stop.** A Housing Development shall be located on a lot, any portion of which must be located within 2,640 feet of a Major Transit Stop, as defined in Section II of these Guidelines according to the procedures in Section III.2 above.
 3. **Housing Replacement.** A Housing Development must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Department of Housing and Community Investment (HCIDLA) prior to the issuance of any building permit. Replacement housing units required per this section may also count towards other On-Site Restricted Affordable Units requirements.
 4. **Other Density or Development Bonus Provisions.** A Housing Development shall not seek and receive a density or development bonus under the provisions of California Government Code Section 65915 (state Density Bonus law) or any other State or local program that provides development bonuses. This includes any development bonus or other incentive granting additional residential units or floor area provided through a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Plan Implementation Overlay (CPIO), Specific Plan, or overlay district.
 5. **Base Incentives and Additional Incentives.** All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI. Up to three Additional Incentives listed in Section VII may be granted based upon the affordability requirements described below. For the purposes of this section below “base units” refers to the maximum allowable density allowed by the zoning, prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in Section IV.1 above (except Moderate Income units).

- a. One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.
 - b. Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.
 - c. Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.
6. **Projects Adhering to Labor Standards.** Projects that adhere to the labor standards required in LAMC 11.5.11 may be granted two Additional Incentives from the menu in Section VII of these Guidelines (for a total of up to five Additional Incentives).
7. **Multiple Lots.** A building that crosses one or more lots may request the TOC Incentives that correspond to the lot with the highest Tier permitted by Section III above.
8. **Request for a Lower Tier.** Even though an applicant may be eligible for a certain Tier, they may choose to select a Lower Tier by providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier and be limited to the Incentives available for the lower Tier.
9. **100% Affordable Housing Projects.** Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.
- V. **APPLICATION AND APPROVALS.** Applications for TOC Incentives shall follow the density bonus procedures outlined in Los Angeles Municipal Code Section 12.22 A.25(g).
1. **Procedures.**
 - a. **Projects Requesting only Base Incentives (Residential Density and Parking).** Projects receiving only Base Incentives shall be reviewed ministerially by the Department of Building and Safety per LAMC 12.22 A.25(g)(1).

- b. **Projects Requesting Additional Incentives.** Projects requesting Additional Incentives shall be reviewed by the Department of City Planning per the procedures in LAMC 12.22 A.25(g)(2).
2. **Calculations.**
- a. **Rounding of Fractional Numbers.** Any numbers regarding parking, number of units (including base density), number of affordable units, or number of replacement housing units that result in a fraction shall be rounded up to the next whole number.
 - b. **Site Plan Review Threshold.** The threshold for a project triggering the Site Plan Review requirements of LAMC 16.05 shall be based on the number of units that would be permitted prior to any density increase from Section VI 1(a) of these Guidelines.
3. **Multiple Approvals.** When the application is filed as part of a project requiring multiple City Planning discretionary approvals, the initial decision maker shall be as set forth in Section 12.36 of this Code; and when the application is filed in conjunction with a subdivision and no other approval, the Advisory Agency shall be the initial decision maker. The decision shall include a separate section clearly labeled “TOC Affordable Housing Incentive Program Determination.”
4. **Design Conformance.** Projects seeking to obtain Additional Incentives shall be subject to any applicable design guidelines, including any Community Plan design guidelines, Specific Plan design guidelines and/or Citywide Design Guidelines and may be subject to conditions to meet design performance. The conditions shall not preclude the ability to construct the building with the residential density permitted by Section VI.

VI. BASE INCENTIVES.

- 1. **Residential Density.** An Eligible Housing Development shall be granted a residential density increase as follows:
 - a. **Increase in Number of Dwelling Units.** In each Tier, the maximum increase in the otherwise maximum allowable number of dwelling units permitted under the applicable zoning ordinance shall be as follows:
 - i. Tier 1 – 50%
 - ii. Tier 2 – 60%
 - iii. Tier 3 – 70%
 - iv. Tier 4 – 80%
 - v. **Exception.** In the “RD” Restricted Density Multiple Family zone (RD Zone), the maximum increase shall be limited to the amounts listed below:

1. Tier 1 – 35%
2. Tier 2 – 35%
3. Tier 3 – 40%
4. Tier 4 – 45%

- b. **Floor Area Ratio (FAR).** In each Tier, the maximum increase in the allowable FAR permitted shall be equal to the following, provided that any additional floor area provided through this section is utilized only by residential uses:
- i. Tier 1 – Percentage increase of up to 40%, or an FAR increase resulting in at least a 2.75:1 FAR in commercial zones, whichever is greater.
 - ii. Tier 2 – Percentage increase of up to 45%, or an FAR increase resulting in at least a 3.25:1 FAR in commercial zones, whichever is greater.
 - iii. Tier 3 – Percentage increase of up to 50%, or an FAR increase resulting in at least a 3.75:1 FAR in commercial zones, whichever is greater.
 - iv. Tier 4 – Percentage increase of up to 55%, or an FAR increase resulting in at least a 4.25:1 FAR in commercial zones, whichever is greater.
 - v. **Exceptions**
 1. In the RD Zone or a Specific Plan or overlay district that regulates residential FAR, the maximum FAR increase shall be limited to 45%.
 2. If the allowable base FAR is less than 1.25:1 then the maximum FAR allowed per this section is limited to 2.75:1.
 3. In the Greater Downtown Housing Incentive Area, the maximum FAR increase shall be limited to 40%, with the total floor area of a residential building or residential portion of a building being calculated per the definition in LAMC 12.22 A.29(c)(1).

Note: For the purpose of applying this incentive, commercial zones include Hybrid Industrial zones, Commercial Manufacturing zones and any defined area in a Specific Plan or overlay district that allows for both commercial uses and residential uses.

2. **Automobile Parking.**

- a. **Residential Minimum Parking Requirements.**
- i. Tiers 1-3 - Required automobile parking for all residential units in an Eligible Housing Development (not just the restricted affordable units), inclusive of disabled and required guest parking, where applicable, shall be as follows:
 1. For an Eligible Housing Development, required parking for all residential units shall not exceed 0.5 spaces per bedroom.
 2. For an Eligible Housing Development that consists of 100% On-Site Restricted Affordable units, exclusive of a manager's unit or

units, there shall be no required parking for all residential units in the Eligible Housing Development.

3. Tier 2 - Regardless of the number of bedrooms in each unit, parking for all residential units in an Eligible Housing Development shall not be required to exceed 1 space per unit;
 4. Tier 3 - Required parking for all residential units in an Eligible Housing Development shall not exceed 0.5 spaces per unit;
 - ii. Tier 4 – No required parking for residential units in an Eligible Housing Development.
- b. **Rounding.** If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.
- c. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by HCIDLA.
- d. **Bicycle Parking.** The bicycle parking requirements in LAMC 12.21 A.16 apply. The additional options to further reduce automobile parking through bicycle parking replacement in LAMC 12.21 A.4 do not apply to TOC projects.
- e. **Nonresidential Parking.** A mixed-use project may reduce the nonresidential automobile parking requirement for any ground-floor nonresidential use as follows:
- i. Tier 1 – Up to a 10% reduction in the nonresidential parking requirement
 - ii. Tier 2 – Up to a 20% reduction in the nonresidential parking requirement
 - iii. Tier 3 – Up to a 30% reduction in the nonresidential parking requirement
 - iv. Tier 4 – Up to a 40% reduction in the nonresidential parking requirement
- f. **Consistency.** Parking reductions offered for Eligible Housing Developments shall always be consistent or greater than those in California Government Code Section 65915(p).

VII. ADDITIONAL INCENTIVES. In addition to the Base Incentives above, an Eligible Housing Development may be granted Additional Incentives by following the procedures in LAMC 12.22 A.25(g)(2).

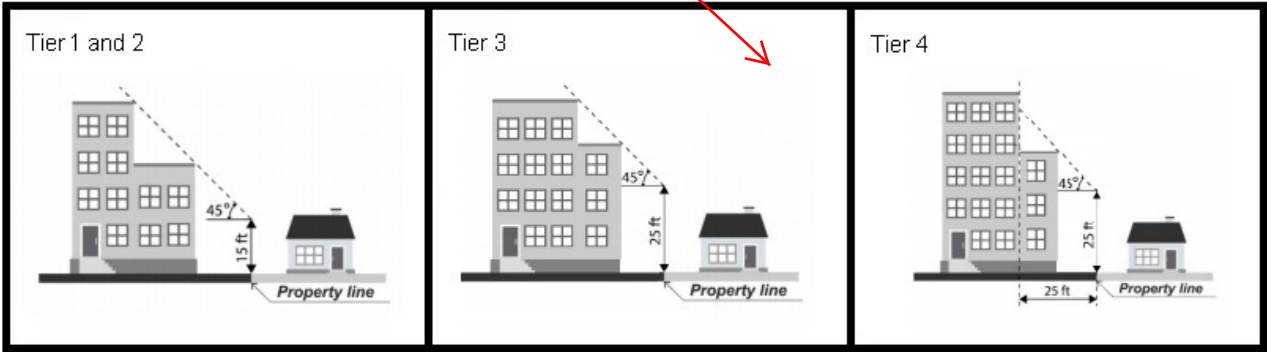
1. **Menu of Incentives.** The Additional Incentives are defined below. The percentage of increase or decrease in the development standards may vary by Tier as follows, and shall be used in lieu of those listed in LAMC 12.22 A.25(f):

- a. **Yard/Setback.** Eligible Housing Developments may request a reduction in the otherwise required yards/setbacks as follows:
 - i. **Commercial Zones.** In any Commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5.
 - ii. **Residential Zones:** Eligible Housing Developments in Residential zones may utilize a reduction in the front, rear or side yards as follows:
 1. **Front Yards:** Front yard reductions are limited to no more than the average of the front yards of adjoining buildings along the same street frontage. Or, if located on a corner lot or adjacent to a vacant lot, the front yard setback may align with the façade of the adjoining building along the same front lot line. If there are no adjoining buildings, no reduction is permitted. In Tier 3 and Tier 4, the front yard reduction may be paired with one other individual yard reduction, per subsection 2 below, which will require the use of only one incentive.
 2. **Side and Rear Yards:**
 - a. Tier 1 - Up to a 25% decrease in the required width or depth of one individual yard or setback.
 - b. Tier 2 - Up to a 30% decrease in the required width or depth of one individual yard or setback.
 - c. Tier 3 - Up to a 30% decrease in the required width or depth of two individual yards or setbacks.
 - d. Tier 4 - Up to a 35% decrease in the required width or depth of two individual yards or setbacks.
 - iii. **Exception.** Yard reductions may not be applied along any property line that abuts an R1 or more restrictive residential zoned property.
- b. **Open Space.** See LAMC 12.22 A.25(f)(6)
 - i. Tiers 1 & 2 - Up to a 20% decrease in required open space
 - ii. Tiers 3 & 4 - Up to a 25% decrease in required open space
- c. **Lot Coverage.** See LAMC 12.22 A.25(f)(2)
 - i. Tiers 1 & 2 - Up to a 25% increase in maximum lot coverage
 - ii. Tiers 3 & 4 - Up to a 35% increase in maximum lot coverage
- d. **Lot Width.** See LAMC 12.22 A.25(f)(3)
 - i. All Tiers - Up to a 25% decrease in required minimum lot width
- e. **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** See LAMC 12.22 A.25(f)(8)
- f. **Density Calculation.** See LAMC 12.22 A.25(f)(7)

- g. **Height.** For Eligible Housing Developments that have a residential use which occupies more than 50% of the total floor area within a building, the applicable Total Height and Transitional Height standards below count as one Incentive. This increase in height shall be applicable to an Eligible Housing Development over the entire parcel regardless of the number of underlying height limits.
- i. **Total Height.** In any zone in which height or number of stories is limited, this height increase shall permit a maximum of:
 1. Tier 1 and 2 – One additional story up to 11 additional feet
 2. Tier 3 – Two additional stories up to 22 additional feet
 3. Tier 4 – Three additional stories up to 33 additional feet
 4. **Exception.** Notwithstanding subsections 2 and 3 above, projects located on lots with a height limit of 45 feet or less, or located within a Specific Plan or overlay district that regulates height, shall require any height increases over 11 feet to be stepped-back at least 15 feet from the exterior face of the Ground Floor of the building located along any street frontage.
 - ii. **Transitional Height.** An Eligible Housing Development may select the following transitional height requirements in lieu of those found in LAMC 12.21.1 A.10, or any applicable transitional height limits in a in a Specific Plan, including any requirements for reduced building heights when a building is adjoining a more restrictive zone:
 1. Tiers 1 and 2 - The building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 15 feet above grade at the property line of the adjoining lot in the RW1 Zone or more restrictive residential zone or Specific Plan subarea (see Diagram 1 below).
 2. Tier 3 – The building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the RW1 Zone or more restrictive zone or Specific Plan subarea (see Diagram 1 below).
 3. Tier 4 – Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone or Specific Plan subarea (see Diagram 1 below).

Does not meet criteria

Diagram 1. Transitional Height Incentive



h. **Public Facilities (PF) Zones.** In lieu of the requirement in LAMC 12.24 U.21, a joint public and private development that qualifies as an Eligible Housing Development may include the uses and area standards permitted in the least restrictive adjoining zone. The phrase “adjoining zone” refers to the zones of properties abutting, across the street or alley from, or having a common corner with, the subject property.

VIII. COVENANT. Prior to issuance of a Building Permit for any Eligible Housing Development, a covenant acceptable to the Department of Housing and Community Investment (HCIDLA) shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 55 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, government requirement, mortgage assistance program, or rental subsidy program.

IX. FEES. A TOC project requesting Additional Incentives is subject to the same Department of City Planning fees as an Application for a Density Bonus including a request for one or more Incentives included in the Menu of Incentives pursuant to LAMC 19.01 O. See Section [19.01](#) V. for multiple applications.

Appendix A: Methodology for Determining Major Transit Stops

Definition of Major Transit Stop:

A site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods. The stations or bus routes may be existing, under construction or included in the most recent SCAG Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP).

SCAG and OPR Methodology:

Peak Periods are considered to be between 6:00 to 9:00 AM and 3:00 to 7:00 PM. Bus routes must have a service frequency of 15 minutes or less for the entire duration of the peak hour periods.

To determine the eligibility of the bus line, the average number of minutes per trip for each direction is calculated separately. If one or both directions fail to meet the 15 minute frequency limit, the entire bus line is ineligible for a Major Transit Stop.

- The total number of trips from the point of origin during peak hours (Monday to Friday) is used. A trip is included if its median time falls within the peak hour.
- To calculate the median time, the time at trip origin is subtracted from the time at arrival at final station, divided by two, and then added to origin time.
For example: Origin time 5:42 AM, Arrival time 6:22 AM
Total trip time = 40 Minutes (6:22 AM – 5:42 AM)
Median trip time = 40 Minutes/2 + 5:42 AM, or 6:02 AM
- The total peak hour time is then divide by the number of trips for the average number of minutes per trip.

Below is a sample calculation based on the 750 Metro Rapid Bus Line (see schedule on Page 16):

Eastbound Trips for 750

During the morning peak hours between 6:00 AM to 9:00 AM, there is a total of 12 Eastbound trips.

The trip originating from Warner Center at 5:42 AM is the first eligible trip with an arrival time at 6:22 AM. This is calculated by dividing the total trip time of 40 minutes by two and adding the 20 minutes to the trip origination time at 5:42 AM, resulting in a median trip time that falls within peak hours at 6:02 AM (not shown in bus schedule).

The trip originating from Warner Center at 8:29 AM is the last eligible trip, with the median time at 8:57 AM.

During the afternoon peak hours between 3:00 PM and 7: PM, there is a total of 16 Eastbound trips.

With 28 total Eastbound trips during the 420 peak hour minutes, the average frequency of the 750 bus line is 15 minutes.

Westbound Trips for 750

Looking at the Westbound trips, there are 11 trips and 15 trips in the AM and PM peak hours respectively. This results in an average frequency of 16.15 minutes.

Result

Despite the Eastbound portion of the 750 Metro Rapid Bus Line meeting the 15 minute frequency as required by a Major Transit Stop, the Westbound portion, with an average frequency of 16.15 minutes, fails to meet that criteria. Therefore, the 750 Metro Rapid Bus Line is ineligible for inclusion in a Major Transit Stop.

Sample Metro Bus Line Schedule with Qualified Peak Hour Trips Boxed in Red

Monday through Friday				750			
Effective Jun 25 2017							
Eastbound <i>Al Este</i> [Approximate Times / Tiempos Aproximados]				Westbound <i>Al Oeste</i> [Approximate Times / Tiempos Aproximados]			
WARNER CENTER	TARZANA	SHERMAN OAKS	STUDIO CITY	STUDIO CITY	SHERMAN OAKS	TARZANA	WARNER CENTER
1	2	3	4	4	3	2	1
Warner Center Transit Hub (Owensmouth & Erwin)	Ventura & Reseda	Ventura & Van Nuys	Universal/ Studio City Station	Universal/ Studio City Station	Ventura & Van Nuys	Ventura & Reseda	Warner Center Transit Hub (Owensmouth & Erwin)
5:13A	5:25A	5:36A	5:50A	5:23A	5:38A	5:52A	6:10A
5:28	5:40	5:51	6:06	5:45	6:00	6:14	6:32
5:42	5:54	6:07	6:22	6:00	6:15	6:29	6:48
5:55	6:09	6:23	6:38	6:15	6:30	6:47	7:06
6:09	6:23	6:39	6:54	6:30	6:46	7:04	7:25
6:23	6:37	6:55	7:10	6:45	7:01	7:22	7:43
6:37	6:51	7:11	7:27	7:00	7:17	7:39	8:00
6:50	7:05	7:27	7:44	7:15	7:32	7:54	8:15
7:05	7:20	7:43	8:00	7:30	7:49	8:11	8:32
7:21	7:36	7:59	8:18	7:45	8:04	8:26	8:47
7:35	7:52	8:15	8:34	8:00	8:19	8:41	9:02
7:54	8:10	8:32	8:51	8:15	8:34	8:56	9:17
8:12	8:28	8:49	9:08	8:30	8:49	9:11	9:32
8:29	8:45	9:06	9:25	8:45	9:04	9:26	9:47
8:46	9:02	9:23	9:42	9:00	9:19	9:41	10:02
9:11	9:27	9:48	10:07	9:18	9:37	9:59	10:20
9:41	9:57	10:18	10:37	9:40	9:59	10:18	10:39
10:10	10:27	10:48	11:07	10:05	10:24	10:43	11:05
10:40	10:57	11:18	11:37	10:35	10:54	11:13	11:35
11:10	11:27	11:48	12:07P	11:04	11:24	11:43	12:06P
11:38	11:57	12:18P	12:37	11:34	11:54	12:13P	12:36
12:08P	12:27P	12:48	1:08	12:03P	12:24P	12:44	1:07
12:35	12:54	1:15	1:35	12:33	12:54	1:14	1:37
1:00	1:19	1:40	2:01	1:02	1:24	1:44	2:07
1:21	1:41	2:02	2:23	1:32	1:54	2:14	2:37
1:46	2:06	2:27	2:48	2:01	2:24	2:44	3:08
1:58	2:18	2:39	3:00	2:25	2:49	3:09	3:34
2:13	2:33	2:54	3:15	2:46	3:10	3:31	3:56
2:27	2:47	3:09	3:30	3:00	3:25	3:46	4:11
2:42	3:02	3:24	3:45	3:15	3:40	4:01	4:25
2:55	3:17	3:39	4:00	3:30	3:55	4:16	4:40
—	3:31	3:53	4:14	3:45	4:10	4:31	4:55
3:10	3:32	3:54	4:15	4:00	4:26	4:47	5:11
3:25	3:47	4:09	4:30	4:15	4:41	5:02	5:26
3:44	4:06	4:28	4:49	4:30	4:56	5:17	5:41
3:55	4:17	4:39	5:00	4:45	5:11	5:32	5:56
4:10	4:32	4:54	5:15	5:00	5:26	5:48	6:12
4:25	4:47	5:09	5:30	5:15	5:41	6:03	6:27
4:40	5:02	5:24	5:45	5:30	5:56	6:18	6:41
4:55	5:17	5:39	6:00	5:45	6:11	6:33	6:56
5:10	5:32	5:54	6:15	6:00	6:26	6:47	7:09
5:26	5:48	6:09	6:30	6:15	6:40	7:00	7:21
5:41	6:03	6:24	6:45	6:35	6:58	7:17	7:38
5:57	6:19	6:39	7:00	6:54	7:16	7:34	7:54
6:20	6:40	6:59	7:19	7:15	7:36	7:54	8:13
6:42	7:01	7:19	7:39	7:40	8:01	8:19	8:38
7:04	7:21	7:39	7:58	8:09	8:27	8:44	9:03
7:35	7:51	8:08	8:26	8:39	8:57	9:12	9:28
8:10	8:25	8:42	8:58	9:10	9:27	9:42	9:58