

**ORDINANCE NO. 188479**

An ordinance amending Chapter I of the Los Angeles Municipal Code to establish regulations regarding affordable housing development, housing replacement, and minimum density standards in compliance with state housing element law.

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

Section 1. Section 16.70 is added to Article 6.1 of Chapter I of the Los Angeles Municipal Code to read as follows:

**SEC. 16.70. HOUSING ELEMENT SITES AND MINIMUM DENSITY**

- A. **Purpose.** This section is intended to implement state housing element law requirements for sites identified in the most recent Housing Element of the General Plan and its associated rezoning program. These regulations shall apply to the Inventory of Housing Element Sites, Prior Housing Element Sites and Lower Income Rezoning Housing Element Sites.
- B. **Definitions.** For purposes of this section the following words and phrases shall have the meanings specified below. Other terms used in this section shall have the meanings in Section 12.03 of this Code if defined there.
1. **Housing Element Sites.** Housing Element Sites includes the sites listed on the City's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of the California Government Code Section 65583, any candidate sites for rezoning to address a shortfall, until those candidate sites are replaced through adoption of a rezoning program adopted by the City Council to implement the City's program to rezone for adequate sites pursuant to paragraph (1) of subdivision (c) of the California Government Code Section 65583, and any sites rezoned through such program.
  2. **Lower Income Households.** Lower Income Households has the same meaning as defined in California Health and Safety Code Section 50079.5.
  3. **Lower Income Rezoning Housing Element Sites.** Sites that were rezoned as part of a rezoning program to meet the Housing Element need for very low- and low- income households allocated pursuant to

California Government Code Section 65584, and which comply with the requirements of California Government Code Section 65583.2(h).

4. **Ministerial Approval.** An administrative review process to approve a “use by right” as that phrase is defined in California Government Code Section 65583.2(i).
5. **Prior Housing Element Sites.** Non-vacant Housing Element Sites that were identified in the prior Housing Element and vacant Housing Element Sites that were identified in the prior two Housing Elements, and listed in Column O of Appendix 4.1 of the current 2021-2029 Housing Element.

### **C. Map and Inventory of Housing Element Sites**

1. The Housing Element Sites shall be shown on a map, titled, “Inventory of Housing Element Sites Map” prepared by the Planning Department and adopted by the City Council pursuant to Division 1.5 of Chapter 1A of this Code.
2. The Planning Department shall also maintain a list of the Housing Element Sites included on the Housing Element Sites Map, referred to as the “Inventory of Housing Element Sites,” on the City’s Zoning Information Mapping and Access System (ZIMAS).
3. The inventory of the Lower Income Rezoning Housing Element Sites established by City Council Resolution shall be submitted to the state each year as part of the Housing Element Annual Progress Report and identified in a public mapping system including the Zoning Information Mapping and Access System (ZIMAS).

### **D. Requirements for Development Projects on Housing Element Sites.**

Notwithstanding any law including any density limits, no Development Project shall be approved on a Housing Element Site that would require the demolition of occupied or vacant Protected Units, or that is located on a site where Protected Units were demolished in the previous five years, unless all the following requirements are satisfied.

**1. Replacement of Existing or Demolished Protected Units.**

(a) **Housing Development Projects.** A Housing Development Project shall replace all existing Protected Units and Protected Units demolished on or after January 1, 2020, pursuant to the replacement requirements of California Government Code Section 65915(c)(3) and LAMC Section 16.60 A.3(a).

(b) **Non-Housing Development Projects.** A Development Project that is not a Housing Development Project must satisfy the replacement requirements in California Government Code Section 65915(c)(3) and LAMC Section 16.60 A.4(a), except that the provisions in LAMC Section 16.60 A.4(c) shall not apply.

**E. Maintenance of Adequate Housing Element Sites Throughout the Housing Element Period.**

1. The Departments of City Planning and Building and Safety shall not, through any administrative, quasi-judicial, legislative or other actions, reduce the density of a Housing Element Site, or approve any project on a Housing Element Site parcel(s) with fewer units in aggregate, by income category, than shown as realistic capacity in the most recent list of Housing Element Sites for the remaining housing element planning period pursuant to California Government Code Section 65584, unless the applicable Department either:

(a) Makes the applicable findings pursuant to California Government Code Section 65863(b), including that, while the proposed project would result in fewer units by income category than those identified in the Housing Element Sites inventory prepared for the 2021-2029 Housing Element, the remaining sites identified in the Housing Element of the General Plan are adequate to meet the requirements of California Government Code Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to California Government Code Section 65584. A written finding with substantial evidence shall be included as part of approval of the project on the number of sites by income category and their adequacy to meet the requirements; or

- (b) If a finding cannot be made, then, within 180 days of any of the actions described in subdivision 1 above, the Department of City Planning shall, in accordance with the provisions of this Code, identify and make available additional adequate sites through a rezoning to accommodate the City's share of the regional housing need by income level.
2. A Housing Development Project may not be denied on the basis that approval of the project would require compliance with this Subsection.

**F. Approval Requirements for Housing Element Sites.**

**1. Ministerial Approval for Prior Housing Element Sites.**

If a Housing Development Project is proposed on a Prior Housing Element Site that is identified in the most recent Housing Element to accommodate a portion of the housing need for low and very low income households and at least twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the Department of City Planning. Any eligible Housing Development Project that would have otherwise required a discretionary entitlement from the Department of City Planning to permit owner-occupied or rental multiple family residential dwelling use on the site shall be processed through an Expanded Administrative Review, as set forth in Section 13B.3.2. of Chapter 1A of this Code. Any non-residential use in a mixed-use Housing Development Project shall comply with any discretionary review required for that use under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Section 13B.2.4 of Chapter 1A be required for any Housing Development Project.

(a) Exception: For the purposes of this subsection, any application for a density increase that requires review under Section 12.24 U.26 of this Code is not eligible for the Ministerial Approval or Expanded Administrative Review in this subsection and shall be processed pursuant to the procedures of Section 12.24 U.26.

(b) Pursuant to Government Code Section 65583.2(i), any subdivision of a Prior Housing Element Site shall be subject to all laws, including, but not limited to, Article 7 (Division of Land Regulations) of Chapter I of this Code.

**2. Ministerial Approval for Lower Income Rezoning Housing Element Sites.**

If a Housing Development Project is proposed on a Lower Income Rezoning Housing Element Site that has a minimum density of at least 20 units per acre, and at least twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the Department of City Planning. Any eligible Housing Development Project that would have otherwise required a discretionary entitlement from the Department of City Planning to permit owner-occupied or rental multiple family residential dwelling use on the site shall be processed through an Expanded Administrative Review, as set forth in Section 13B.3.2. of Chapter 1A of this Code. Any non-residential use in a mixed-use Housing Development Project shall comply with any discretionary review required for that use under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Section 13B.2.4 of Chapter 1A be required for any Housing Development Project.

(a) Exceptions

- (i) For the purposes of this subsection any application for a density increase that requires review under Section 12.24 U.26 of this Code is not eligible for the Ministerial Approval or Expanded Administrative Review in this subsection and shall be processed pursuant to the procedures of Section 12.24 U.26.
- (ii) Pursuant to Government Code Section 65583.2(i), any subdivision of a Lower Income Rezoning Housing Element Site shall be subject to all laws, including, but not limited to, Article 7 (Division of Land Regulations) of Chapter I of this Code.

**3. Densities for Lower Income Rezoning Housing Element Sites.**

A Housing Development Project proposed on a Lower Income Rezoning Housing Element Site shall not be approved unless it meets at least the minimum density requirement of 20 units per acre, inclusive of Accessory Dwelling Units.

**4. Relationship to Other Incentive Programs**

A project that seeks approval under Section 16.70 F shall be eligible for a density bonus, incentive, concession, waiver, or reduction of development

standards pursuant to California Government Code Section 65915, or a local incentive program in Chapter I of this Code or any Community Plan Implementation Overlay, Specific Plan, or other overlay adopted under the authority of Chapter I, provided that the project meets the applicable requirements for both Section 16.70 F and the applicable incentive program.

Exception: A CPIO Mixed-Income Housing Project as defined in the Hollywood Community Plan Implementation Ordinance District (Hollywood CPIO), which is identified in the Lower Income Rezoning Sites List, shall be processed through the Administrative Clearance in Section I-6.C.2. of the Hollywood CPIO when the Project's unit mix includes 20 percent Restricted Affordable Units for lower-income households, in lieu of any higher minimum number of on-site Restricted Affordable Units for a CPIO Mixed-Income Housing Project.

**G. Implementation Memoranda, FAQs, Forms/Applications and User Guides.**

The Director may prepare Implementation Memoranda, Technical Bulletins and/or User Guides related to the Department of City Planning's implementation of state Housing Element law (Article 10.6 of California Government Code Section 65580 et seq.) through the provisions of this Code, including, but not limited to, providing additional information for the purpose of maintaining consistency with state law.

H. References to state or federal statutes or regulations in this section shall be to those statutes or regulations as written and in effect on the date the ordinance adding those references is adopted

Sec. 2. A new Subdivision 5 is added to Subsection B of Section 12.09.1 of Chapter I of the Los Angeles Municipal Code as follows:

**5. Minimum Density.** In the RD1.5 and RD2 zones, located within a High or Medium High Residential Market Area established by the City Council pursuant to LAMC Section 19.18.C.1, a minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on a lot meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit

or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 3. A new Subdivision 5 is added to Subsection C of Section 12.10 of Chapter I of the Los Angeles Municipal Code as follows:

**5. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 4. A new Subdivision 6 is added to Subsection C of Section 12.10.5 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 5. A new Subdivision 6 is added to Subsection C of Section 12.11 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 6. A new Subdivision 6 is added to Subsection C of Section 12.11.5 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 7. A new Subdivision 6 is added to Subsection C of Section 12.12 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 8. A new Subdivision 6 is added to Subsection C of Section 12.12.2 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 9. A new Subdivision 6 is added to Subsection C of Section 12.13 of Chapter I of the Los Angeles Municipal Code as follows:

**6. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area



requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 10. A new Subdivision 5 is added to Subsection B of Section 12.13.5 of Chapter I of the Los Angeles Municipal Code as follows:

**5. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 11. A new Subdivision 5 is added to Subsection C of Section 12.14 of Chapter I of the Los Angeles Municipal Code as follows:

**5. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22.C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 12. A new Subdivision 5 is added to Subsection C of Section 12.16 of Chapter I of the Los Angeles Municipal Code as follows:

**5. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22 C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit

or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 13. A new Subdivision 4 is added to Subsection C of Section 12.17 of Chapter I of the Los Angeles Municipal Code as follows:

**4. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22 C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 14. A new Subdivision 4 is added to Subsection C of Section 12.17.1 of Chapter I of the Los Angeles Municipal Code as follows:

**4. Minimum Density.** A minimum density of one Dwelling Unit or Guest Room, inclusive of Accessory Dwelling Units, for every 2,000 square feet of lot area is required for every Housing Development Project on lots meeting the minimum width and lot area requirements for the zone, prior to any subdivision, except when Section 12.22 C.28 applies. The minimum density calculation shall be rounded up to the nearest unit to ensure the minimum density standard is met. If the minimum lot area per Dwelling Unit or Guest Room for the zone does not allow for construction of the required minimum density, the minimum density shall not apply.

Sec. 15. A new Subdivision 28 is added to Subsection C of Section 12.22 of Chapter I of the Los Angeles Municipal Code as follows:

**28. Minimum Density in the RD2, RD1.5, R3, RAS3, R4, RAS4, R5, C1, C1.5, C2, C4, C5 and CM Zones.** In the RD2, RD1.5, R3, RAS3, R4, RAS4, R5, C1, C1.5, C2, C4, C5 and CM Zones, the minimum density requirements of these zones shall not apply to the following types of development projects or lots, unless located on a site that is designated as a Lower Income Rezoning Housing Element Site:

- a) An addition, remodel or rehabilitation that results in 1,500 square feet or less of net new Floor Area and that results in no demolition of an existing Dwelling Unit(s);
- b) A project where the only new Dwelling Unit(s) added to the parcel is an Accessory Dwelling Unit(s);

- c) A project to reconstruct an Existing Dwelling Unit that has been damaged by a disaster or is deemed unsafe by LADBS and that results in no increase to the amount of Floor Area in the prior building or buildings;
- d) A development located on any of the environmentally sensitive sites specified in subparagraphs (B) to (K) of California Government Code Section 65913.4(a)(6), including a Very High Fire Hazard Severity Zone, regardless of any mitigation;
- e) Lots where at least 60% of the Lot is composed of a Slope(s) that is 30% or greater, as determined by a Slope Analysis Map prepared in accordance with LAMC Section 12.21 C.10(b)(1).
- f) A lot that is designated as parks or open space in any plan or zoning designation;
- g) A lot that contains a Designated Historic Resource; or
- h) A lot that cannot achieve the minimum density requirement due to any objective provision in the Los Angeles Municipal Code that physically precludes the construction of a development, as determined by the Los Angeles Department of Building and Safety, or due to any provision of a Specific Plan, Q, T, or D Condition, or a Community Plan Implementation Overlay..

Sec. 16. Notwithstanding LAMC Section 11.05. (Effect of Renumbering or Redesignation of Provisions or Sections in Statutes or Codes of the State of California Which are Referenced to in the Los Angeles Municipal Code), any references to State or Federal statutes or regulations in this ordinance shall be to those statutes or regulations as written and in effect on the date the ordinance adding those references is adopted. This general rule is intended to control over a specific rule to the contrary and shall not be subject to the rule of statutory construction that where there is a conflict, a specific statute controls over a general statute. References within this ordinance to requirements of other City or government agencies or Chapters of the LAMC, as well as other local, state, and federal codes are provided for informational purposes and are not intended to be comprehensive or to provide exemption from any additional applicable regulations from other City or government agencies or sections of the LAMC not explicitly referenced in this ordinance.

Sec. 17. **TECHNICAL CORRECTIONS.** As deemed necessary by the Director, the Department of City Planning may prepare technical corrections to this ordinance that would fix citations and typographical errors that do not result in substantive changes to the policies adopted by the City Council through Council File Nos. 22-0617, 21-1230-S5, 21-1230-S6, or 21-1230-S8, in their approval of this final ordinance, in consultation with the City Attorney.

A. Such technical corrections may include:

1. Corrections to typographical errors and citations.

2. Stylistic and formatting consistency edits
3. Corrections to ensure consistency between provisions.
4. Corrections to clarify the implementation of a provision.
5. Corrections to illustrations or graphics to align with the text of Chapter I of the Los Angeles Municipal Code.

B. The Department of City Planning shall bring those corrections to the City Council for final approval by resolution.

C. This section shall be effective for one year from the effective date of this ordinance.

Sec. 18. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety because the ordinance is necessary for urgently needed housing. As recognized in the Housing Element, the City has a need for the development of approximately 450,000 housing units by the year 2029, including an immediate need of tens of thousands of units to serve an existing shortfall. To address this shortfall, the City must complete a rezoning program by February 12th, 2025, per California Government Code 65583(c)(1)(A), at which time a determination of non-compliance could trigger a significant loss of funding for housing and infrastructure, loss of local zoning control, and court-imposed fines. This potential loss of funding for housing could result in less affordable housing being developed citywide, posing a severe threat to the stability of lower income households and further contributing to the City's ongoing homelessness and affordable housing crisis. This ordinance implements a rezoning program that would make the City compliant with state-mandated requirements. For these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 19. **OPERATIVE DATE.** This ordinance shall be operative on February 11, 2025, in compliance with the rezoning program deadline of February 12, 2025; but if the rezoning program deadline is suspended or extended by the State of California, such as by an emergency order of the Governor, the operative date of this ordinance shall be the day before the new rezoning program deadline set by the State.

Sec. 20. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that anyone or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 21. 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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By   
OSCAR MEDELLIN  
Deputy City Attorney

Date January 31, 2025

File No. 21-1230-S6

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted.

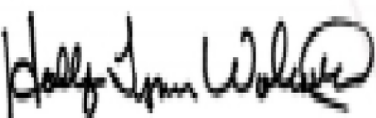
  
VINCENT P. BERTONI, AICP  
Director of Planning

Date January 31, 2025

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.


CITY CLERK

  
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Ordinance Passed February 7, 2025

Ordinance Published: 02/11/2025  
Ordinance Effective Date: 02/11/2025  
Ordinance Operative Date: 02/11/2025

MAYOR

  
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02/07/2025

Approved \_\_\_\_\_