

CITY OF LOS ANGELES

CALIFORNIA



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July 9, 2007

Planning and Land Use Management Committee of the City of Los Angeles City Council
City Hall, Room 395
Los Angeles, CA 90012

Attention: Barbara Greaves, Legislative Assistant

City Planning Case No. 2007-106-CA

Transmitted herewith is a proposed Baseline Mansionization Ordinance (Attachment I) applicable to all properties zoned single-family residential (R1, RS, RE9, RE11, RE15, RA, RE20, and RE40), not located in Hillside Area or Coastal Zone, that amends various sections of the Los Angeles Municipal Code (L.A.M.C.) including Sections 12.03, Subsection C of Sections 12.07, 12.07.01, 12.07.1, 12.08, Section 12.21.1 A, and Section 12.28 A. These amendments will: (1) amend the existing definitions of Buildable Area and Floor Area, add a new Single-Family Residential Floor Area definition, and add a new Base Floor definition; (2) rename Subsection C of each zone, and include new Single-Family Residential Floor Area requirements and Articulation Bonus in each zone; (3) revise the existing height requirements to include a different height for flat roofs, add a Single-Story Height District, and amend this section to reference the new Single-Family Residential Floor Area requirements in each single-family zone; and (4) amend the Zoning Administrator authority to exclude adjustments to Single-Family Residential Floor Area.

On June 28, 2007, following two public hearings and three City Planning Commission meetings, the City Planning Commission adopted the attached report and findings of the Planning Department staff as its report and findings, and approved the proposed ordinance with several modifications and clarifications. The attached Revised Ordinance and Findings reflect these changes: amend Single-Family Residential Floor Area requirements to transition smoothly between different FAR thresholds within each zone; rename the "Proportional Stories Bonus" to "Articulation Bonus" and include a Facade Modulation method in addition to the Proportional Stories method of achieving a bonus; amend the Single-Family Residential Floor Area requirements of the R1 Zone to allow an Articulation Bonus of 30 percent of the maximum Single-Family Residential Floor Area, provided that a lot is smaller than 5,000 sq-ft and either method of articulation is utilized. (see Attachment I for amended Ordinance).

Staff has been directed to return to the Commission 100 days from the date this ordinance is adopted by the City Council to provide a progress report addressing flat lots in Hillside Areas.



Staff has also been directed to monitor the construction of single-family homes in areas affected by this Ordinance and report back to the Commission with an evaluation of the effectiveness of this Ordinance in dealing with the mansionization problem one year from the date this Ordinance is adopted by City Council.

The action was taken by the following vote:

Moved: Kezios
Seconded: Cardoso
Ayes: Usher, Roschen, Freer, Montañez
Abstentions: Woo
Absent: Kay, Hughes



Gabriele Williams, Commission Executive Assistant II
City Planning Commission

Attachments: Attachment I - Amended Ordinance
Attachment II - Amended Findings
Attachment III - June 28, 2007 Staff Report w/ Findings & Attached Exhibits

cc: Jeri Burge, Deputy City Attorney, Land Use Division

ATTACHMENT I
AMENDED ORDINANCE

PROPOSED ORDINANCE WITH REVISIONS**ORDINANCE NO. _____**

An ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, and Section 12.21.1 of the Los Angeles Municipal Code to establish new regulations for all single-family residential zoned properties (RA, RE, RS, and R1) not located in a Hillside Area or Coastal Zone.

WHEREAS, property values citywide have increased rapidly in recent years, and this high premium for land has encouraged and/or enabled property owners and developers to tear down the original modest-sized houses and replace them with much larger structures, or significantly remodel existing structures with large-scale two-story additions which are out of scale with neighboring properties; and

WHEREAS, recent construction activity has resulted in structures that are significantly larger than the average single-family structure in the City of Los Angeles many of which are large two-story box-like structures built out to the required setbacks with only minimum spacing between houses and large second stories, resulting in congested relationships between adjoining houses and a reduction of the neighbors' access to direct sunlight and privacy; and

WHEREAS, the City Council on June 6, 2006, adopted a motion instructing the Department of City Planning, in conjunction with the City Attorney and the Department of Building and Safety, to prepare an ordinance amending the Los Angeles Municipal Code (LAMC) to establish the appropriate size of single-family homes in flat and hillside areas; and

WHEREAS, the said motion instructed that such ordinance should consider: the size of the structure in relation to the size of the lot (floor area ratio) for new construction and additions to existing homes; the relationship between percentage of slope and allowable Buildable Area; amendments to existing Specific Plans and municipal code provisions to ensure consistency of new development with existing structures; and

WHEREAS, the Department of City Planning has analyzed the current development standards for single-family zones and has determined that the municipal code currently allows for structures that are excessively large and that a citywide code amendment is required to reduce the maximum size of single-family development in single-family zones; and

WHEREAS, this ordinance deals with properties zoned single-family residential which are not located in Hillside Areas, as defined in Section 12.03 of the LAMC – referred to in the June 6, 2006 motion as the “flats” and that properties zoned single-family residential and located in Hillside Areas will be addressed in a subsequent ordinance tailored to residential hillside development; and

WHEREAS, this ordinance deals with properties zoned single-family residential which are not located in the Coastal Zone, as defined by the California Coastal Commission because the proposed code amendments required to address mansionization in the Coastal Zone will require substantial coordination and review by the Coastal Commission; and

WHEREAS, delaying the implementation of this ordinance will result in a lapse of time of protection from mansionization for the area within the Sunland-Tujunga Interim Control Ordinance (CPC-2004-2391-ICO, Council File No. 04-2085), and will result in further development that is incompatible with existing neighborhoods throughout the City; and

WHEREAS, this ordinance equitably establishes independent Single-Family Residential Floor Area limitations for each specific zone based on lot size such that as lot size gets progressively larger, the relationship of house size to lot size is maintained proportionally.

WHEREAS, this ordinance amends current development regulations in a meaningful way in order to prevent the construction of homes that are substantially larger than existing single-family homes of a similar lot size and zone.

WHEREAS, the main objective of this Baseline Mansionization Ordinance is to resolve most, but not all of the factors that contribute to the problem of mansionization, and deals directly with issues concerning the wide range of lot sizes found in the City and within specific zones, height limitations, and effectively introduces larger setbacks resulting in a solution that is simple, yet effective.

WHEREAS, the objective of the Ordinance is to mitigate the perceived mass of structures by introducing controls to encourage articulated structures, especially second-stories.

WHEREAS, this ordinance establishes a maximum Single-Family Residential Floor Area, which varies depending on lot size and zone, that prevents structures which are extremely out of proportion with the scale of existing neighborhoods, addresses massing and scale issues raised by various communities, but still allows for reasonable growth in terms of square-footage, and creates a scenario whereby a property can either have a single-story structure with a large footprint, a two-story structure with a smaller footprint and larger setbacks, or a slightly larger two-story structure which is articulated; and

WHEREAS, this ordinance clarifies that deviations from the new proposed Single-Family Residential Floor Area requirements shall not be granted per the Adjustments authority granted to the Zoning Administrator in Subsection A of Section 12.28 of the LAMC; and

WHEREAS, delaying the implementation of this ordinance could result in the continuation of the trend toward development which is inconsistent with the objectives of the General Plan, incompatible with the existing neighborhoods, and irreversible and will result in further impacts to the quality of life in the communities within the City of Los Angeles, and this ordinance needs to take effect upon its publication.

NOW THEREFORE,

**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 “Single-Family Residential Floor Area” and “Base Floor” in proper alphabetical order to read:

BASE FLOOR. Is the largest of the floors of a primary structure, at or above grade, that is not considered a basement. All levels within four (4) vertical feet of each other shall count as a single floor.

BUILDABLE AREA. (Amended by Ord. No. 171,662, Eff. 8/17/97.) All that portion of a lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses. For the purpose of computing the height district limitations on total floor area in buildings of any height, the buildable area that would apply to a one-story building on the lot shall be used. Notwithstanding the above, Buildable Area shall not be used to calculate the maximum Single-Family Residential Floor Area on properties used primarily for single-family purposes, zoned RA, RE, RS, and R1, and not located in a Hillside Area or Coastal Zone. Total Single-Residential Floor Area for these properties is established in Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08.

Notwithstanding the above, in computing the height district limitations on total floor area for any development of residential dwelling units, or of both residential dwelling units and commercial uses, in the C2, C4, or C5 zones, buildable area shall have the same meaning as lot area. The additional square footage permitted by this calculation for residential use shall not result in an increase in the number of dwelling units beyond that which would have otherwise been permitted but may only be used to increase the floor area or number of habitable rooms within individual dwelling units.

This alternate definition of buildable area shall not apply within the following specific plan areas: Central City West, Century City North, Century City South, Coastal Bluffs, Devonshire/Topanga Corridor, Foothill

Boulevard Corridor, Granada Hills, Oxford Triangle, Pacific Palisades Commercial Village/Neighborhoods, Playa Vista Area D, Porter Ranch Land Use/Transportation, San Pedro, Valley Village, and Westwood Village. This alternative definition shall also not apply to any lot for which a "Q" or "D" limitation setting forth a floor area limitation had been imposed before July 1, 1997. In the event of a conflict with any other adopted specific plan, the most restrictive provision shall prevail.

FLOOR AREA. Is that 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. Except that single-family residences on properties zoned RA, RE, RS, and R1, and not located in a Hillside Area or Coastal Zone shall be governed by the definition of Single-Family Residential Floor Area. (Added by Ord. No. 163,617, Eff. 6/21/88, Amended by Ord. No. ###,###, Eff. #/##/##.)

FLOOR AREA, SINGLE-FAMILY RESIDENTIAL. Is that area in square feet confined within the exterior walls of a building or structure on a property used primarily for single-family residential purposes, zoned RA, RE, RS, or R1, and not located in a Hillside Area or Coastal Zone. When a property zoned RA, RE, RS, or R1 is developed primarily for uses other than single-family residence, the Floor Area definition shall apply.

When calculating the Single-Family Residential Floor Area, any portion of a building or structure with a ceiling height greater than 14 feet shall count as twice the square-footage of that area. Any attic or portion thereof with a ceiling height of more than seven (7) feet shall be counted as Single-Family Residential Floor Area.

Except that the following areas shall not be counted towards the Single-Family Residential Floor Area:

1. The first 400 square-feet of existing or proposed attached or detached garage space or parking area; however, the area being provided for parking in excess of 400 square-feet shall be included as Single-Family Residential Floor Area.
2. Detached structures used for storage purposes and not for parking, which are no greater than 200 square feet; however, the total area of these structures shall not exceed 400 square feet.
3. The first 250 square-feet of porches, patios, and breeze-ways with a solid roof which are open on at least two (2) sides, which are not being used for parking purposes; however, the area in excess of 250 square-feet shall be included as Single-Family Residential Floor Area.
4. The first 100 square-feet of any portion of a building or structure with a ceiling height greater than 14 feet shall be counted only once.
5. Basements that comply with the yard setbacks containing habitable or nonhabitable rooms, when the ceiling height does not exceed two feet in height above the finished or natural grade, whichever is less.

Section 2. Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08 of the Los Angeles Municipal Code is amended as follows:

Area Development Standards. No building or structure nor the enlargement of any building or structure shall be ~~hereafter~~ erected ~~or maintained~~ unless the following yards ~~and~~ lot areas, and floor area requirements are ~~provided~~ adhered to and maintained in connection with such building, structure, or enlargement:

Section 3. “RA” Suburban Zone. Subsection C of Sections 12.07 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 25 percent of the area of the subject lot, except that when the subject lot is 20,000 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 20 percent of the area of the subject lot or 5,000 sq-ft, whichever is greater.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if either of the following articulation methods are provided:

a. The total area of each story, floor, or level other than the Base Floor in a multi-story building does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03; or

b. At least twenty-five percent (25%) of the building frontage facing the front property line is stepped back at least twenty percent (20%) of the total building depth in addition to the required front yard setback. For the purposes of this provision, the total building depth shall be measured from the edges of the building closest to the front and rear property lines.

Section 4. “RE” Residential Estate. Subsection C of Sections 12.07.01 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed the following standards for each RE zone:

RE9 and RE11: 40 percent of the area of the subject lot, except that when the subject lot is 15,000 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 35 percent of the area of the subject lot or 6,000 sq-ft, whichever is greater.

RE15, RE20 and RE40: 35 percent of the area of the subject lot.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if either of the following articulation methods are provided:

a. The total area of each story, floor, or level other than the Base Floor in a multi-story building does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03; or

b. At least twenty-five percent (25%) of the building frontage facing the front property line is stepped back at least twenty percent (20%) of the total building depth in addition to the required front yard setback. For the purposes of this provision, the total building depth shall be measured from the edges of the building closest to the front and rear property lines.

Section 5. “RS” Suburban Zone. Subsection C of Sections 12.07.1 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 45 percent of the area of the subject lot, except that when the

subject lot is 9,000 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 40 percent of the area of the subject lot or 4,050 sq-ft, whichever is greater.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if either of the following articulation methods are provided:

a. The total area of each story, floor, or level other than the Base Floor in a multi-story building does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03; or

b. At least twenty-five percent (25%) of the building frontage facing the front property line is stepped back at least twenty percent (20%) of the total building depth in addition to the required front yard setback. For the purposes of this provision, the total building depth shall be measured from the edges of the building closest to the front and rear property lines.

Section 6. “R1” One-Family Zone. Subsection C of Sections 12.08 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 50 percent of the area of the subject lot, except that when the subject lot is 7,500 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 45 percent of the area of the subject lot or 3,750 sq-ft, whichever is greater.

An additional amount of floor area equal to 20 percent, or 30 percent for lots less than 5,000 sq-ft, of the maximum Single-Family Residential Floor Area shall be granted if either of the following articulation methods are provided:

a. The total area of each story, floor, or level other than the Base Floor in a multi-story building does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03; or

b. At least twenty-five percent (25%) of the building frontage facing the front property line is stepped back at least twenty percent (20%) of the total building depth in addition to the required front yard setback. For the purposes of this provision, the total building depth shall be measured from the edges of the building closest to the front and rear property lines.

Section 7. Section 12.21.1 of the Los Angeles Municipal Code is amended as follows:

SEC. 12.21.1. HEIGHT OF BUILDING OR STRUCTURES.

No building or structure shall be erected or enlarged which exceeds the total floor area, the number of stories or the height limits hereinafter specified for the district in which the building or structure is located. Provided, however, that with respect to height, buildings and structures located within the boundaries of the Century City North and Century City South Specific Plans shall comply solely with the requirements of the respective specific plan and the requirements of Section 12.21.2 of this Code; that buildings and structures located within Community Redevelopment Plan Areas shall comply with the requirements of Section 12.21.3 of this Code; that buildings and structures located within Enterprise Zones shall comply with the requirements of Section 12.21.4 of this Code; and that buildings and structures located within Centers Study Areas designated on Maps Numbered 1 through 29 referred to in Section 12.21.5 of this Code, shall comply with the requirements of Section 12.21.5 of this Code. Such designations are consistent with the purposes, intent and provisions of the General Plan. (Amended by Ord. No. 161,684, Eff. 11/3/86.)

In the A1, A2, ~~RA, RE, RS, R1, RZ, R2~~, 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 forty-five (45) feet in height. In the RA, RE, RS, R1 and R2 Zones in Height District No. 1, located in a Hillside Area or a Coastal Zone, no building or structure shall exceed forty-five (45) feet in height. In the RU and RW1 Zones, no building or structure shall exceed thirty (30) feet in height. (Amended by Ord. No. 164,904, Eff. 7/6/89.)

Notwithstanding the preceding paragraph, the following height regulations shall apply on a lot which is not located in a Hillside Area, or Coastal Zone: Except as set forth below, in the R2 Zone, no building or structure shall exceed 33 feet in height. Except as set forth below, in the R1, ~~R2~~, RS, or RE9 zones, no building or structure shall exceed 33 feet in height; except that when the roof of a building or structure or portion thereof has a slope of less than twenty-five percent (25%), the maximum height shall be 28 feet. Except as set forth below, 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 a building or structure or portion thereof has a slope of less than twenty-five percent (25%), the maximum height shall be 30 feet. Provided, however, that when 40 percent or more of the existing single family dwellings with frontage on both sides on the block of the same street as the frontage of the subject lot have building heights exceeding these limits, the maximum height for any building on the subject lot shall be the average height of the dwellings exceeding these limits. Height requirements in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this section. This section shall apply when there are no such height requirements imposed on lots by a specific plan or an Historic Overlay Zone or created by a subdivision approval. (Added by Ord. No. 169,775, Eff. 6/2/94.)

In the CR Zone and those portions of the RD, R3, and RAS3 Zones, which are in Height District Nos. 2, 3 or 4, no building or structure shall exceed six stories nor shall it exceed 75 feet in height. However, a building designed and used entirely for residential purposes or a residential building in the RAS3 Zone that has commercial uses on the ground floor, shall only be limited as to the number of feet in height. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

In the PB Zone, no parking building shall exceed a height of two stories in Height District No. 1; provided, however, that the parking of automobiles shall be permitted on the roof of the parking building if a solid enclosing wall or parapet wall at least three feet six inches in height is provided and maintained around all those portions of the roof which are arranged and used for the parking of automobiles. No parking building in a PB zone shall exceed a height of six stories in Height District No. 2, ten stories in Height District No. 3 or 13 stories in Height District No. 4. Basement floors, located entirely below the natural or finished grade of a lot, whichever is lower, shall not be considered in computing the permitted height of parking buildings in the PB Zone. (Amended by Ord. No. 122,569, Eff. 9/2/62.)

A. Limitations

1. ~~(Amended by Ord. No. 163,627, Eff. 6/20/88.)~~ 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 said lot; for a lot in all other zones, except RA, RE, RS, and R1-zoned properties not located in a Hillside Area or Coastal Zone and developed primarily for single-family residential uses, 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 said lot. For RA, RE, RS, and R1-zoned properties not located in a Hillside Area or Coastal Zone and developed primarily for single-family residential uses, the total Single-Family Residential Floor Area shall be as determined by the Development Standards in Subsection C of each zone.

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 such District exceed 30 feet in height. ~~(Amended by Ord. No. 174,999, Eff. 1/15/03.)~~ 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 Habitable Level, nor shall the highest point of the roof of any building or structure located in such District exceed 18 feet in height. For the purposes of Height District No. 1-SS, Habitable Level shall mean all floor levels used for overnight stay by the occupants or their guests of a dwelling within four (4) feet of each other.

Section 8. Subsection A of Section 12.28 of the Los Angeles Municipal Code is amended as follows:

A. Adjustments. ~~(Amended by Ord. No. 173,492, Eff. 10/10/00.)~~ 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. The Zoning Administrator shall not have the authority to grant an Adjustment or Slight Modification to Single-Family Residential Floor Area limitations.

Section 9. APPLICABILITY OF THE ZONING CODE. The regulations of this Ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in that Chapter or any other ordinances.

Section 10. SEVERABILITY. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance which can be implemented without the invalid provision, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 11. 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 vote of not less than three-fourths of all of its members, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____

Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

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

June , 2007

By _____

See attached report

(CITY ATTORNEY STAFF)

(Title)

S. Gail Goldberg
Director of Planning

Date _____

File No. _____

ATTACHMENT II
AMENDED FINDINGS

REVISED FINDINGS

1. 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 mass and size, on single-family zoned lots not located in Hillside Areas or the Coastal Zone.

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. |

The current FAR of 3:1 (by Buildable Area) allows large, box-like structures that compromise the character of established neighborhoods. 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 new base FAR for each zone and the Articulation Bonus allow for the construction of structures that are larger than existing homes, but still compatible with a typical single-family neighborhood.

The current method of determining total development potential using setbacks alone results in larger Buildable Area on same-sized lots due to differences in lot shape. A larger Buildable Area can result in a larger house size. In order to address this problem the proposed Baseline Mansionization Ordinance changes the FAR from a percentage of Buildable Area to a percentage of Lot Size. This ensures that regardless of lot shape, the development potential for lots of a given zone is held constant relative to lot size.

Moreover, the proposal establishes a specific FAR for each zone, creating a specific scale for each zone with subtle transitions for larger lots within some of the smaller scale zones, with smaller minimum lot sizes. To incentivize good design the proposal includes an Articulation Bonus of up to 20 percent of the maximum Single-Family Residential Floor Area, based on the zone and lot size. An exception is made for substandard R1 lots, where the Articulation Bonus is 30 percent of the maximum Single-Family Residential Floor Area to preserve equitable development on smaller lots. The Articulation Bonus can be achieved utilizing either the Proportional Stories or Facade Modulation method. Both of these methods encourage creative design solutions and provide an opportunity for additional floor area when needed.

In order to further address the issue of building mass from the public right-of-way and neighboring properties, the proposed ordinance includes a new height provision that directly ties the maximum height of a building to the slope of the roof. 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.

The current Floor Area definition is inadequate for single-family residential development because the current definition does not include many portions of a building that add significantly to the mass and bulk of structures. The new definition would include the portions of a building or structure that are currently excluded from the maximum square footage of development on a lot. In addition, the proposed Base Floor definition is necessary for the Department of Building and Safety to effectively implement the Proportional Stories method of achieving the Articulation Bonus.

Currently, the Municipal Code does not have a Single-Story Height District. For those neighborhoods that want to maintain their single-story character, unless they are eligible for a Historic Preservation Overlay Zone, there are no tools available that can provide comprehensive protection from multi-story homes. Therefore, the proposed Single-Story Height District is a necessary tool for preserving the defining characteristic of single-story single-family residential neighborhoods.

Lastly, the existing Zoning Administrator's Adjustment authority does not explicitly exclude adjustments to Floor Area limitations. This ordinance would clarify that adjustments to Single-Family Residential Floor Area are specifically excluded from the Zoning Administrator's authority. When there is a hardship, the variance process is adequate for requests for deviations from the FAR limitations. Included in the ordinance are two ways for a property owner to increase the amount of habitable square-footage: the Articulation Bonus and the exemption of habitable Basements that meet the qualifications. This amendment ensures that deviations from the new FAR requirements are reviewed by the variance process, and are held up to strict findings requirements.

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 its measures are needed to regulate single-family residential development in order to avoid the further degrading effects of out-of-scale structures in the various neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1 (by Buildable Area).

a) *Reduction of Existing FAR for Single-Family Zones and New Articulation Bonus*

Baseline FAR Reduction

The current FAR of 3:1 (by Buildable Area) 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.

This ordinance also prevents the irreversible adverse impacts associated with the new construction and additions at the current 3:1 FAR which result in out-of-scale structures that will otherwise be permitted by-right, and further degrade the quality of life in existing single-family residential neighborhoods.

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. The proposed solution 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.

Under the current code standards, setbacks do not increase by default as the lot size increases. This has resulted in the construction of two-story homes on large lots with little air space between neighboring structures. To remedy this, the reduced floor area ratio is tied directly to lot size and is in addition to setback requirements in the zone, resulting in larger setbacks on two-story structures.

The new base Floor Area Ratios ranging from 0.25:1 on RA lots to 0.5:1 on R1 lots respect the characteristics of these zones and address most of the factors that contribute to Mansionization.

Articulation Bonus

The purpose of the Articulation Bonus is to encourage quality design of single-family homes. There are two ways of achieving the bonus. The Proportional Stories method allows for slightly larger two-story structures by granting a floor area bonus of 20% of the maximum Single-Family Residential Floor Area as long as the stories other than the Base Floor are not greater than seventy-five percent of the Base Floor. This tool will provide a floor area incentive that encourages articulation by requiring that the second floor be smaller than the first floor, thereby changing the perception of size and scale of a structure. The Facade Modulation Bonus allows for slightly larger two-story structures by granting a floor area bonus of 20% of the maximum Single-Family Residential Floor Area as long as 25% of the building frontage facing the street is stepped back from the front façade by a minimum of 20% of the total building depth. To ensure that the FAR reduction does not result in inequitable restrictions on substandard R1 lots, the Bonus is raised to 30% in order to allow for reasonably-sized homes that are also well-designed on the exterior. Both the Proportional Stories method and the Facade Modulation method are flexible in terms of design, allowing the property owner to determine where this area is to be used.

b) *Amend Height Limits for Single-Family Zones*

Roofs are a defining characteristic of single-family homes; articulated roofs add visual interest to a structure and provide transitions between properties. Therefore, the proposed ordinance establishes new standards to differentiate between sloped and flat roofs. The proposed ordinance lowers the allowable

height for buildings with flat roofs and maintains the existing height limits for buildings with sloped roofs.

Section 12.21.1 has been amended to allow building heights of up to 33 feet in the R1, RS, and RE9 zones and 36 feet in the RE11, RE15, RA, RE20, and RE40 zones, for buildings that provide a roof slope of at least 25 percent (25%).

For buildings with a flat roof, or a slope of less than 25%, the maximum height would be 28 feet in the R1, RS, and RE9 zones and 30 feet in the RE11, RE15, RA, RE20 and RE40.

A structure can combine flat and pitched roof sections, however, the allowable heights for each section will vary as described above.

c) *Add New Single-Family Residential Floor Area and Base Floor Definitions*

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 new Single-Family Residential Floor Area definition would include such areas that are currently excluded from the maximum development potential for a lot. The existing definition still applies to uses other than single-family residential.

In order to control the mass and bulk of a building, the definition will also count portions of a building, in excess of 100 sq-ft, with ceiling height greater than 14 ft as twice the area, and include any attic space with a ceiling height greater than 7 ft. The proposed definition exempts the first 100 sq-ft of any portion of a building or structure with a ceiling height greater than 14 ft in order to emphasize entry treatments which can help to mitigate building mass when properly designed.

The exemption of the first 400 sq-ft of garage area is in place in to compensate for the parking provisions required in the LAMC. Floor area in excess is counted in order to prevent unnecessarily large garages which would otherwise contribute to the overall mass and scale of single-family residences or detached structures on a lot.

Detached structures used for storage purposes (such as tool sheds and pool equipment rooms), no greater than 200 sq-ft, that are not used for parking purposes, are exempted from the total Single-Family Residential Floor Area calculation because these structures generally do not contribute to the overall mass of the development on a lot. However, the new definition limits the cumulative total area of these structures to 400 sq-ft to avoid an unchecked clustering of these structures which would likely result in aggregate massing problems on a single-family property.

Currently, all porches, patios, and breezeways are counted towards the development potential of a single-family lot; this ordinance exempts the first 250 sq-ft of these types of spaces, as long as they are open on at least two sides. These architectural elements help to articulate a structure and mitigate the overall bulk of a building.

The proposed definition specifically excludes basements containing habitable or nonhabitable rooms as an alternative for property owners seeking additional square-footage in a way that does not add to the bulk of a building. The 2-foot above grade ceiling height requirement is established in order to insure that these basements are inconspicuous.

Base Floor Definition

The Base Floor definition is needed in order to establish a base from which the Proportional Story provisions are to be taken for primary structures on a lot. There is currently no such definition in the zoning code. The reason for not using the first floor as the default base is because there are sloped lots where it is entirely possible that a second floor can be larger than the first. This approach allows for maximum flexibility in calculating Proportional Stories compliance regardless of the topography of a lot.

d) *Rename Subsection C of Each Single-Family Residential zone and Move Single-Family Residential Floor Area Regulations to Each Zone.*

Currently, the Floor Area regulations for all zones, including single-family residential, are found in Subsection A of Section 12.21.1 of the LAMC. Furthermore, Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08, contain the “Area” requirements such as Front, Side, and Rear Yards, as well as the Lot Area for each zone.

As a result of the proposed Single-Family Residential Floor Area regulations, the proposed ordinance will rename Subsection C of each single-family zone to “Development Standards”, and move the proposed Single-Family Residential Floor Area requirements to each zone. The ordinance also includes a reference in Section 12.21.1 of the LAMC to the new FAR requirements in each zone. This revision will allow each zone to have its own specific single-family development standards, making these regulations easier to find in the LAMC.

e) *New Single-Story Height District for Single-Family Zones*

To preserve the defining characteristic of one-story single-family neighborhoods, the ordinance establishes a new Single-Story Height District.

The preservation of predominantly single-story neighborhoods was a critical issue raised by residents before and during the public outreach meetings. Adding a Single-Story Height District would create a tool that allows one-story neighborhoods that want to remain one-story the ability to limit construction to one story and 18 feet in height.

The proposed ordinance is enabling legislation and this new Height District would not apply to any specific neighborhood at this time. Communities would now have the opportunity to request this new Height District through the standard zone change process.

f) *Clarify that Zoning Administrator’s Adjustment Authority Does Not Include Adjustments to Single-Family Residential Floor Area*

The proposed Code Amendment would clarify that the Zoning Administrator cannot grant adjustments to the Single-Family Residential Floor Area. The proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the Articulation Bonus and the exemption of habitable Basements that meet the qualifications. Additionally, the Variance process is available when there are special circumstances or hardships.

Although the measures in this ordinance are not tailored to any specific neighborhood, such as the Sunland-Tujunga area, and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established 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 a booming real estate market, that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Further exacerbating the problem, much of the existing housing stock is reaching maturity (80 years or older). Good zoning practice requires new 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 Planning staff has thoroughly analyzed many different approaches and public testimony and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of mansionization 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 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.

Furthermore, delaying the implementation of this ordinance will result in a lapse of protection from mansionization for the Sunland-Tujunga Interim Control Ordinance area (CPC-2004-2391-ICO, Council File No. 04-2085) that will expire on September 25, 2007. If allowed to expire without adoption of a permanent ordinance, further irreversible development that is inconsistent with the objectives of the General Plan and incompatible with this neighborhood would be likely.

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, April 6, 2007, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2007-107-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, April 12, 2007, 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.

ATTACHMENT III

JUNE 28, 2007 STAFF REPORT W/ FINDINGS & ATTACHED EXHIBITS



DEPARTMENT OF CITY PLANNING REVISED RECOMMENDATION REPORT



LOS ANGELES CITY PLANNING COMMISSION

Date: June 28, 2007
Time: After 1:00 p.m.
Place: Van Nuys Hall
14410 Sylvan St., Council Chamber 2nd Floor
Van Nuys, CA 91401

Public Hearing: March 21, 2007 and March 29, 2007
Continued From: May 24, 2007 (Item No. 7)
May 10, 2007 (Item No. 7)
June 14, 2007 (Item No. 9)

Case No.: CPC-2007-106-CA
CEQA No.: ENV-2007-107-ND
Incidental Cases:
Related Cases: CPC-2004-2391-ICO, CPC-2004-4516-ICO, and CPC-2006-2502-ICO
Council District: Citywide (All)
Plan Area: Citywide (All)
Specific Plan: Citywide (All)
Certified NC: Citywide (All)
GPLU: Minimum, Very Low I, Very Low II, and Low Density Residential
Zone: R1, RS, RE9, RE11, RE15, RA, RE20, and RE40
Applicant: City of Los Angeles
Representative: City of Los Angeles

PROJECT LOCATION: All properties zoned single-family residential (R1, RS, RE9, RE11, RE15, RA, RE20, and RE40) not located in Hillside Area or Coastal Zone.

PROPOSED PROJECT: Baseline Mansionization Ordinance – Citywide code amendment to the Los Angeles Municipal Code (LAMC) as described below.

REQUESTED ACTIONS: Amendments to the following Sections of the LAMC:

Section 12.03 Definitions – amend the existing definitions of Buildable Area and Floor Area, add a new Single-Family Residential Floor Area definition, and add a new Base Floor definition; and

Subsection C of Section 12.07 “RA” Suburban Zone, Section 12.07.01 “RE” Residential Estate Zone, Section 12.07.1 “RS” Suburban Zone, and Section 12.08 “R1” One-Family Zone – rename Subsection C of each zone, and include new Single-Family Residential Floor Area requirements and Proportional Stories Bonus in each zone; and

Subsection A of Section 12.21.1 – revise the existing height requirements to include a different height for flat roofs, add a Single-Story Height District, and amend this section to reference the new Single-Family Residential Floor Area requirements in each single-family zone; and

Subsection A of Section 12.28 Adjustments – amend the Zoning Administrator authority to exclude adjustments to Single-Family Residential Floor Area.

RECOMMENDED ACTIONS:

1. **Approve and Recommend that the City Council Adopt** the amendments to the LAMC as detailed in the proposed Ordinance (Exhibit A).
2. **Adopt** the attached Findings.
3. **Approve and Recommend that the City Council Adopt** Negative Declaration No. ENV-2007-107-ND (Exhibit B).

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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the *Commission Secretariat, 200 North Main Street, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than 3 working days (72 hrs.) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The proposed Ordinance (Exhibit A) would amend several provisions of the Los Angeles Municipal Code (LAMC) that deal with massing, scale, and size of new construction, additions to, and remodels on single-family residential zoned lots, not located in Hillside Areas or the Coastal Zone (Exhibit C). The proposed code amendments would protect single-family lots from mansionization, or out-of-scale development, in established neighborhoods.

The proposed amendments would:

- Reduce the existing Floor Area Ratio (FAR) for each zone from 3:1 by Buildable Area and change it to an FAR for each zone by Lot Size.
- Add a new Proportional Stories Bonus of 20% of the maximum development potential of a lot if all the other stories are less than seventy-five percent of the largest floor of the primary structure.
- Create new Single-Family Residential Floor Area and Base Floor definitions in order to address massing concerns and to determine Proportional Stories compliance, and amend the existing definitions of Buildable Area and Floor Area to address the changes proposed in this ordinance.
- Rename Subsection C of each single-family zone to Development Standards, and move the new FAR requirements to each zone.
- Revise the existing height requirements to include a lower height for structures, or portions of structures, with flat roofs:

R1, RS, RE9

25% Roof Slope or Greater: 33 feet

Less Than 25% Roof Slope: 28 feet

RE11, RE15, RA, RE20, and RE40

25% Roof Slope or Greater: 36 feet

Less Than 25% Roof Slope: 30 feet

- Add a new Single-Story Height District with a maximum height of 18 feet available only for properties zoned single-family residential. This would not be applied to any area of the City or neighborhood as part of this action. Application of this new Height District would require a full zone change process.
- Clarify that the Zoning Administrator's Adjustment authority does not include adjustments to Single-Family Residential Floor Area.

Properties located within Hillside Areas and the Coastal Zone will not be affected by the Ordinance. With regards to Specific Plans, the strictest FAR standards would prevail.

Background

In early 2005, in response to a flurry of public requests for Interim Control Ordinances (ICOs) regarding over-sized single-family dwellings, the Department of City Planning (DCP) began work on the Baseline Mansionization Ordinance. The intent of this ordinance was to develop a

citywide proposal that would address key issues raised by various communities with regards to mansionization. Mansionization is defined as new construction, additions, and remodels on residentially zoned lots that are out-of-scale with the surrounding neighborhood, but which comply with current City zoning regulations.

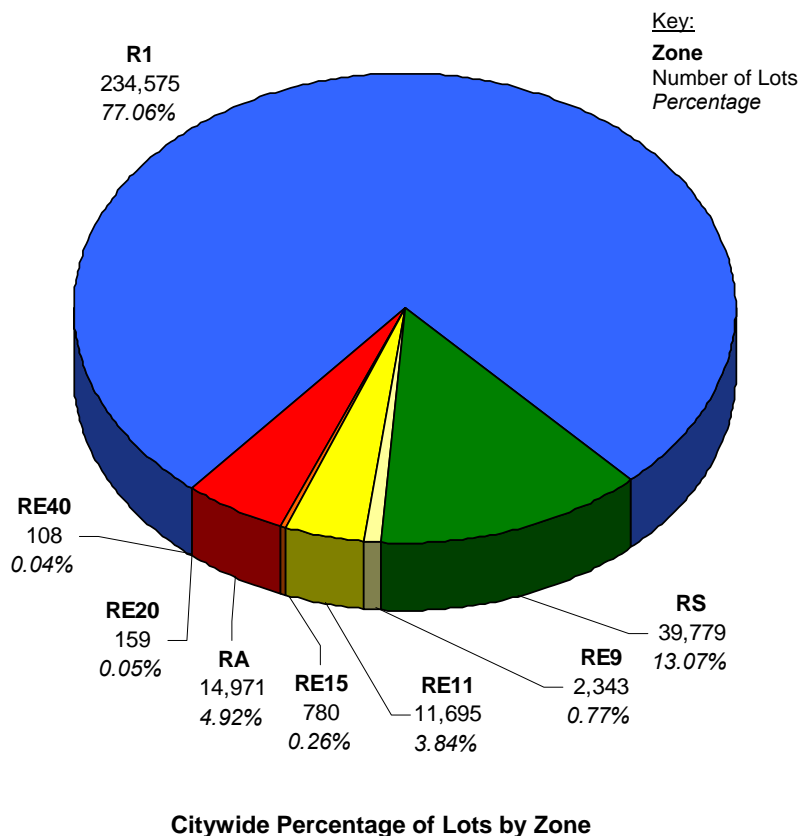
Several City Council motions have been adopted to temporarily address this issue. In August of 2005, the first geographically-specific mansionization Interim Control Ordinance (ICO) was adopted for Sunland-Tujunga. Subsequently adopted ICOs include Beverly Grove and Old Granada Hills. Several new ICOs are currently proposed for other communities.

On June 6, 2006, the City Council adopted a motion directing the DCP to prepare an ordinance amending the LAMC in order to establish the appropriate size of single-family dwellings in both the flats and hillside areas (Exhibit D). This proposed ordinance addresses the flat areas. The DCP will address the hillside mansionization issues in a subsequent proposal.

Single-Family Lots by Zone

The proposed Baseline Mansionization Ordinance will apply only to properties that are zoned single-family residential (R1, RS, RE9, RE11, RE15, RA, RE20, and RE40) that are not located in a Hillside Area, as defined in Section 12.03 of the LAMC, or Coastal Zone, as determined by the California Coastal Commission.

The total number of lots to which this ordinance would apply is approximately 304,410. As the figure to the right illustrates, an overwhelming majority of the properties being affected are zoned R1 (234,575; 77.06%), and the next most frequent zone is RS (39,779; 13.07%). The only other zones that appear in any significant numbers are the RE11 and RA zones, each under 5% of the total number of lots.



Most of the RE and RA lots are located in the Hillside Areas and/or Coastal Zone. For more specific numbers please refer to Exhibit A of the June 14, 2007 Supplemental Report.

Based on more specific citywide lot size information, half (118,816) of the R1 lots affected by this ordinance are sized between 5,000 and 6,000 sq-ft.

Issues

Current development regulations in the Municipal Code for single-family residential zones allow for the development of excessively large box-like single-family residential structures that are incompatible with the surrounding neighborhood.

Floor Area Ratios

The current FAR of 3:1 (three times the Buildable Area) for single-family residential zones allows for the construction of homes that are clearly out-of-scale with surrounding homes. For example, the development potential of a 5,000 sq-ft R1-zoned lot is well over 7,000 sq-ft. This problem had not become apparent until recent years; due to the high cost of land, today more developers and home owners are choosing to maximize the development potential of their lot than have done so historically.

Currently, the City of Los Angeles uses a percentage of the Buildable Area (lot size minus required setbacks) to determine how much development is permitted on a lot. The problem with this current method is that the required setbacks do not increase proportionally as the lot gets bigger, and the lot configuration (narrow & deep vs. wide & shallow) also results in varying Buildable Areas same-sized lots. This results in disproportionately larger Buildable Areas for larger and/or narrow lots, and if the current FAR method is maintained it will continue to result in disproportionately larger homes. In order to address this problem the proposed Baseline Mansionization Ordinance changes the FAR from a percentage of Buildable Area to a percentage of Lot Size.

The proposed ordinance limits the same R1, 5,000 sq-ft lot used in the example above to a base FAR of 0.5:1 (50% of the Lot Size) and a development potential of 2,500 sq-ft, thereby preventing the main source of the mansionization concerns, the development of large, looming structures.

The proposal would give each zone a specific FAR, thereby establishing a specific scale for each zone with adjustments for larger lots within some of the smaller scale zones. Table 1 below is a list of proposed FARs (by Lot Size) produced using a starting point of 2,500 sq-ft of development on a 5,000 sq-ft R1 lot:

Table 1 – Proposed FARs by Lot Size			
Zone	FAR	Lot Size	Maximum SFR Floor Area
R1	0.5:1	5,000 sq-ft min.	2,500 sq-ft
	0.4:1	<i>Lots ≥ 7,500 sq-ft</i>	<i>3,000 sq-ft</i>
RS	0.45:1	7,500 sq-ft min.	3,375 sq-ft
	0.4:1	<i>Lots ≥ 9,000 sq-ft</i>	<i>3,600 sq-ft</i>
RE9	0.4:1	9,000 sq-ft min.	3,600 sq-ft
	0.35:1	<i>Lots ≥ 15,000 sq-ft</i>	<i>5,075 sq-ft</i>
RE11	0.4:1	11,000 sq-ft min.	4,400 sq-ft
	0.35:1	<i>Lots ≥ 15,000 sq-ft</i>	<i>5,075 sq-ft</i>
RE15	0.35:1	15,000 sq-ft min.	5,250 sq-ft
RA	0.25:1	17,500 sq-ft min.	4,375 sq-ft
RE20	0.35:1	20,000 sq-ft min.	7,000 sq-ft
RE40	0.35:1	40,000 sq-ft min.	14,000 sq-ft

This approach results in a much simpler and very predictable method of determining the maximum development potential for any lot in the City of Los Angeles. It also establishes a much more direct relationship between the size of a house and the lot. Setbacks would no longer be a factor in determining how large a structure could be, and would only determine how close a structure could be to any particular lot line.

Proportional Stories Bonus

The proposed ordinance includes a bonus of 20% of the Maximum Single-Family Residential Floor Area if all the other stories of the structure are less than 75 percent of the largest floor, or Base Floor. Table 2 below lists the resulting maximum floor areas for minimum-sized lots:

Table 2 – Proportional Stories Bonus for Minimum Lot Sizes		
Zone	Minimum Lot Size	Maximum SFR Floor Area
R1	5,000 sq-ft	3,000 sq-ft
RS	7,500 sq-ft	4,050 sq-ft
RE9	9,000 sq-ft	4,320 sq-ft
RE11	11,000 sq-ft	5,280 sq-ft
RE15	15,000 sq-ft	6,300 sq-ft
RA	17,500 sq-ft	5,250 sq-ft
RE20	20,000 sq-ft	8,400 sq-ft
RE40	40,000 sq-ft	16,800 sq-ft

This Proportional Stories provision is a simple way to incentivize articulated homes, to encourage quality design, and to prohibit large box-like structures.

Single-Family Residential Floor Area Definition

Another part of the proposal is to provide a new Single-Family Residential Floor Area definition. The current Floor Area definition 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 proposed Single-Family Residential Floor Area calculation would include:

- The area within the exterior walls of a residential structure.
- Portions of a building, in excess of 100 sq-ft, with ceiling height greater than 14 ft would count as twice the floor area.
- Any attic, or portion thereof, with ceiling height more than 7 ft.

The following would not be counted towards the total square-footage:

- First 400 sq-ft, of attached or detached garage space.
- Detached structures used for storage purposes, no greater than 200 sq-ft; the total area not to exceed 400 sq-ft.
- First 250 sq-ft, of porches, patios, and breeze-ways with a solid roof open on at least 2 sides.
- Basements containing habitable or non-habitable rooms, when the ceiling height does not exceed 2 ft in height above the finished or natural grade, whichever is less.

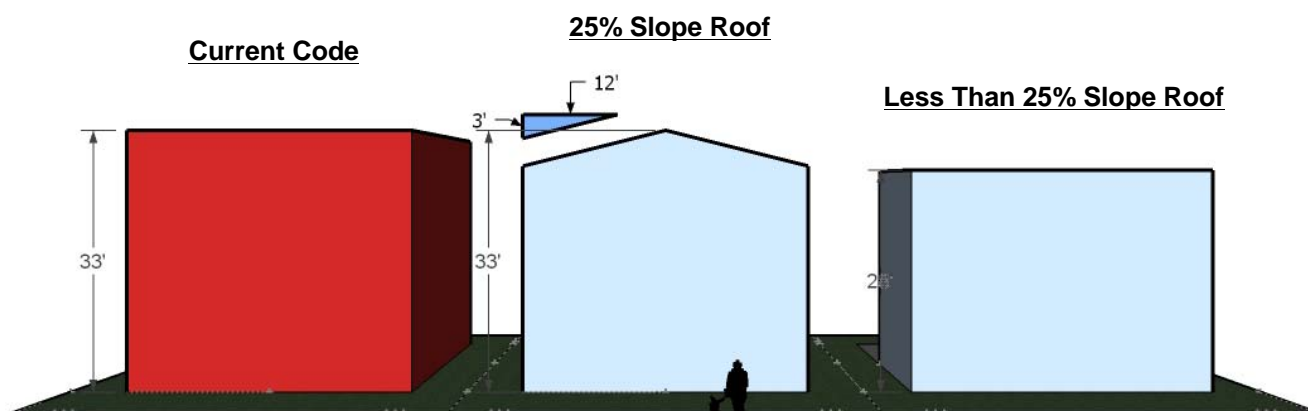
The new definition is balanced to include most portions of a building or structure that add to the mass and bulk of homes and are currently excluded from the calculation of maximum square footage of development on a lot. The new definition would also encourage and not penalize use of creative design elements.

Base Floor Definition

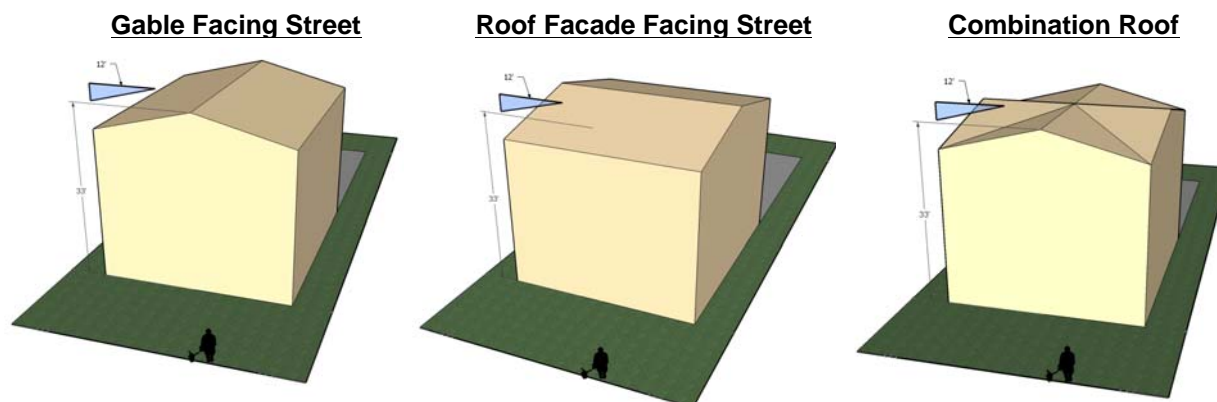
The proposal also includes a new Base Floor definition which is the largest of the floors at or above grade that is not considered a basement. This definition is necessary for the effective implementation of the Proportional Stories Bonus compliance.

Height of Structures

Even with the decreases in the allowable FAR described above and the resulting de facto increase in setbacks for two-story structures, there was still concern about visual bulk as seen from the street. A simple way to decrease this is to address the building height. Therefore, this recommendation proposes a new height provision that directly ties the maximum height of a building to the slope of a roof. Currently, flat and sloped roofs have the same height limits: 33 feet for the R1, RS, and RE9 zones, and 36 feet for the RE11, RE15, RS, RE20, and RE40 zones. The proposal is to reduce the height to 28 feet for flat roofs in the first group of zones and 30 feet in the remainder of the zones.



The 25% slope can be used in a variety of ways, the following are just three examples:



This provision helps to ensure that the mass of taller structures 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. With a varied roofline, structures would allow more light and air to reach neighboring properties, add visual interest, and enhance transitions between properties.

Single-Story Height District

It is understood that one citywide ordinance cannot completely address the unique issues of every neighborhood. Therefore, additional neighborhood-specific tools will also be necessary to deal with neighborhood character.

The current proposal creates one such tool: the Single-Story Height District, which limits construction to one story and establishes a maximum height of 18 feet. This is not being applied to any area and would require a full zone change in accordance with the procedures of Section 12.32 of the LAMC which guides Land Use Legislative Actions.

Flat Lands in Hillside Areas

Several members of the public have expressed a concern that the proposed Baseline Mansionization Ordinance would not apply to “flat” properties located within the Hillside Area boundaries, and have requested that the provisions of this ordinance be applied to these lots. There are currently several different hillside definitions used by the City and properties may be identified as hillside by one criterion or another. These need to be reconciled and this will take collaboration between different departments and involve new mapping. It is recommended that staff be directed to proceed expeditiously with this work as a follow-up to the proposed Baseline Mansionization Ordinance.

Conclusion

The proposed Baseline Mansionization Ordinance (Exhibit A) is intended to prevent large box-like structures that are out of scale with existing neighborhoods, balance individual needs and property rights, and address the size and mass issues in a direct and simple manner on a citywide basis. By establishing simpler massing limitations and providing incentives for the construction of more articulated structures, the proposed ordinance encourages better design and fosters creativity. It is crafted to respect single-family neighborhoods throughout the City.

Furthermore, adoption of the proposed ordinance will address many of the concerns raised by the existing ICOs and will prevent the need for additional temporary moratoria on house size.

The Baseline Mansionization Ordinance as proposed would provide meaningful relief in all single-family zones while still allowing sufficient development for changing times and needs. The across-the-board reduction in FARs will truly prevent out-of-scale homes. While this does not completely address the wishlist of every homeowner in every neighborhood, it will provide real protection from mansionization for over 300,000 single-family homeowners.

FINDINGS

1. 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 mass and size, on single-family zoned lots not located in Hillside Areas or the Coastal Zone.

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.

The current FAR of 3:1 allows large, box-like structures that compromise the character of established neighborhoods. 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 new base FAR for each zone and the Proportional Stories Bonus allow for the construction of structures that are larger than existing homes, but still compatible with a typical single-family neighborhood.

The current method of determining total development potential using setbacks alone results in larger Buildable Area on same-sized lots due to differences in lot shape. A larger Buildable Area can result in a larger house size. In order to address this problem the proposed Baseline Mansionization Ordinance changes the FAR from a percentage of Buildable Area to a percentage of Lot Size. This ensures that regardless of lot shape, the development potential for lots of a given zone is held constant relative to lot size.

Moreover, the proposal establishes a specific FAR for each zone, creating a specific scale for each zone with transitions for larger lots within some of the smaller scale zones, with smaller minimum lot sizes.

In order to further address the issue of building mass from the public right-of-way and neighboring properties, the proposed ordinance includes a new height provision that directly ties the maximum height of a building to the slope of the roof. 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.

Furthermore, the current Floor Area definition is inadequate for single-family residential development because the current definition does not include many portions of a building that add significantly to the mass and bulk of structures. The new definition would include the portions of a building or structure that are currently excluded from the maximum square footage of development on a lot. In addition, the proposed Base Floor definition is necessary for the Department of Building and Safety to effectively implement the Proportional Stories Bonus.

Currently, the Municipal Code does not have a Single-Story Height District. For those neighborhoods that want to maintain their single-story character, unless they are eligible for a Historic Preservation Overlay Zone, there are no tools available that can provide comprehensive protection from multi-story homes. Therefore, the proposed Single-Story Height District is a necessary tool for preserving the defining characteristic of single-story single-family residential neighborhoods.

Lastly, the existing Zoning Administrator's Adjustment authority does not explicitly exclude adjustments to Floor Area limitations. This ordinance would clarify that adjustments to Single-Family Residential Floor Area are specifically excluded from the Zoning Administrator's authority. When there is a hardship, the variance process is adequate for requests for deviations from the FAR limitations. Included in the ordinance are two ways for a property owner to increase the amount of habitable square-footage: the Proportional Stories FAR Bonus, and the exemption of habitable Basements that meet the qualifications. This amendment ensures that deviations from the new FAR requirements are reviewed by the variance process, and are held up to strict findings requirements.

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 its measures are needed to regulate single-family residential development in order to avoid the further degrading effects of out-of-scale structures in the various neighborhoods throughout the City of Los Angeles as a result of the current FAR of 3:1.

a) *Reduction of Existing FAR for Single-Family Zones and New Proportional Story 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.

This ordinance also prevents the irreversible adverse impacts associated with the new construction and additions at the current 3:1 FAR which result in out-of-scale structures that will otherwise be permitted by-right, and further degrade the quality of life in existing single-family residential neighborhoods.

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. The proposed solution 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.

Under the current code standards, setbacks do not increase by default as the lot size increases. This has resulted in the construction of two-story homes on large lots with little air space between neighboring structures. To remedy this, the reduced floor area ratio is tied directly to lot size and is in addition to setback requirements in the zone, resulting in larger setbacks on two-story structures.

The new base Floor Area Ratios ranging from 0.25:1 on RA lots to 0.5:1 on R1 lots respect the characteristics of these zones and address most of the factors that contribute to Mansionization.

Proportional Stories Bonus

The purpose of the Proportional Stories Floor Area Bonus is to encourage quality design of single-family homes. The Proportional Stories Bonus allows for slightly larger two-story structures by granting a floor area bonus of 20% of the maximum Single-Family Residential Floor Area as long as the stories other than the Base Floor are not greater than seventy-five percent of the Base Floor. This tool will provide a floor area incentive that encourages articulation by requiring that the second floor be smaller than the first floor, thereby changing the perception of size and scale of a structure. The Proportional Stories FAR Bonus also allows for design flexibility, allowing the property owner to determine where this area is to be used.

c) Amend Height Limits for Single-Family Zones

Roofs are a defining characteristic of single-family homes; articulated roofs add visual interest to a structure and provide transitions between properties. Therefore, the proposed ordinance establishes new standards to differentiate between sloped and flat roofs. The proposed ordinance lowers the allowable roof height for flat roofs and maintains the existing height limits for sloped roofs.

Section 12.21.1 has been amended to allow building heights of up to 33 feet in the R1, RS, and RE9 zones and 36 feet in the RE11, RE15, RA, RE20, and RE40 zones, for buildings that provided a slope of at least 25 percent (25%).

For buildings with a flat roof, or a slope of less than 25%, the maximum height would be 28 feet in the R1, RS, and RE9 zones and 30 feet in the RE11, RE15, RA, RE20 and RE40.

A structure can combine flat and pitched roof sections, however, the allowable heights for each section will vary as described above.

c) Add New Single-Family Residential Floor Area and Base Floor Definitions

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 new Single-Family Residential Floor Area definition would include such areas that are currently excluded from the maximum development potential for a lot. The existing definition still applies to uses other than single-family residential.

In order to control the mass and bulk of a building, the definition will also count portions of a building, in excess of 100 sq-ft, with ceiling height greater than 14 ft as twice the area, and include any attic space with a ceiling height greater than 7 ft. The proposed definition exempts the first 100 sq-ft of any portion of a building or structure with a ceiling height greater than 14 ft in order to emphasize entry treatments which can help to mitigate building mass when properly designed.

The exemption of the first 400 sq-ft of garage area is in place in to compensate for the parking provisions required in the LAMC. Floor area in excess is counted in order to prevent unnecessarily large garages which would otherwise contribute to the overall mass and scale of single-family residences or detached structures on a lot.

Detached structures used for storage purposes (such as tool sheds and pool equipment rooms), no greater than 200 sq-ft, that are not used for parking purposes, are exempted from the total Single-Family Residential Floor Area calculation because these structures generally do not contribute to the overall mass of the development on a lot. However, the new definition limits the cumulative total area of these structures to 400 sq-ft to avoid an unchecked clustering of these structures which would likely result in aggregate massing problems on a single-family property.

Currently, all porches, patios, and breezeways are counted towards the development potential of a single-family lot; this ordinance exempts the first 250 sq-ft of these types of spaces, as long as they are open on at least two sides. These architectural elements help to articulate a structure and mitigate the overall bulk of a building.

The proposed definition specifically excludes basements with a solid roof containing habitable or nonhabitable rooms as an alternative for property owners seeking additional square-footage in a way that does not add to the bulk of a building. The 2-foot above grade ceiling height requirement is established in order to insure that these basements are inconspicuous.

Base Floor Definition

The Base Floor definition is needed in order to establish a base from which the Proportional Story provisions are to be taken for primary structures on a lot. There is currently no such definition in the zoning code. The reason for not using the first floor as the default base is because there are sloped lots where it is entirely possible that a second floor can be larger than the first. This approach allows for maximum flexibility in calculating Proportional Stories compliance regardless of the topography of a lot.

d) *Rename Subsection C of Each Single-Family Residential zone and Move Single-Family Residential Floor Area Regulations to Each Zone.*

Currently, the Floor Area regulations for all zones, including single-family residential, are found in Subsection A of Section 12.21.1 of the LAMC. Furthermore, Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08, contain the “Area” requirements such as Front, Side, and Rear Yards, as well as the Lot Area for each zone.

As a result of the proposed Single-Family Residential Floor Area regulations, the proposed ordinance will rename Subsection C of each single-family zone to “Development Standards”, and move the proposed FAR requirements to each zone. The ordinance also includes a reference in Section 12.21.1 of the LAMC to the new FAR requirements in each zone. This revision will allow each zone to have its own specific single-family development standards, making these regulations easier to find in the LAMC.

e) *New Single-Story Height District for Single-Family Zones*

To preserve the defining characteristic of one-story single-family neighborhoods, the ordinance establishes a new Single-Story Height District.

The preservation of predominantly single-story neighborhoods was a critical issue raised by residents before and during the public outreach meetings. Adding a Single-Story Height District would create a tool that allows one-story neighborhoods that want to remain one-story the ability to limit construction to one story and 18 feet in height.

The proposed ordinance is enabling legislation and this new Height District would not apply to any specific neighborhood at this time. Communities would now have the opportunity to request this new Height District through the standard zone change process.

f) *Clarify that Zoning Administrator’s Adjustment Authority Does Not Include Adjustments to Single-Family Residential Floor Area*

The proposed Code Amendment would clarify that the Zoning Administrator cannot grant adjustments to the Single-Family Residential Floor Area. The proposed provisions already allow for two primary ways for a property owner to increase the amount of habitable square-footage: the Proportional Stories Bonus, and the exemption of habitable Basements that meet the qualifications. Additionally, the Variance process is available when there are special circumstances or hardships.

Although the measures in this ordinance are not tailored to any specific neighborhood, such as the Sunland-Tujunga area, and are instead a citywide approach, they are needed to avoid the continuing negative impacts upon established 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 a booming real estate market, that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Further exacerbating the problem, much of the existing housing stock is reaching maturity (80 years or older).

Good zoning practice requires new 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 Planning staff has thoroughly analyzed many different approaches and public testimony and determined that the proposed amendments are the simplest and most direct way of dealing with the issue of mansionization 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 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.

Furthermore, delaying the implementation of this ordinance will result in a lapse of protection from mansionization for the Sunland-Tujunga Interim Control Ordinance area (CPC-2004-2391-ICO, Council File No. 04-2085) that will expire on September 25, 2007. If allowed to expire without adoption of a permanent ordinance, further irreversible development that is inconsistent with the objectives of the General Plan and incompatible with this neighborhood would be likely.

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, April 6, 2007, determined that the proposed code amendments would not have a significant impact on the environment. A Negative Declaration (ENV-2007-107-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, April 12, 2007, 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.

PUBLIC HEARINGS AND COMMUNICATIONS

The Department of City Planning has conducted extensive outreach to the community. Below is a summary of the Department's communication and efforts:

Focus Group Meetings

The intent of the focus groups was to get feedback on our preliminary concepts from design and development professionals, as well as from community members directly affected by mansionization. The Focus Groups were made up of residents of the communities with ICO activity (existing or proposed), local developers, as well as architects and designers (see the Focus Group Invitation Letters found in the case file).

These were held on the following dates:

<u>June 14, 2006</u>	Staff met with several architects, including City Planning Commissioner Roschen, to share preliminary concepts for the proposed code amendment. Overall, the architects expressed the need to propose new requirements on single-family residential neighborhoods.
<u>July 11, 2006</u>	Staff met with community members and developers of Sunland-Tujunga and Council Office District 2 staff.
<u>July 18, 2006</u>	Staff met with community members and developers from Valley Glen and Valley Village and Council Office District 2 staff.
<u>July 25, 2006</u>	Staff met with community members and developers from the South Valley area and Council Office District 5 staff.
<u>July 27, 2006</u>	Staff met with community members and developers from the Westside, Wilshire, and Beverly Grove area and Council Office District 5 staff.

While many participants felt that new requirements restricting the mass and scale of single-family residential structures should be considered, reaching an agreement on the appropriate FAR limit for single-family structures was difficult because the recommendation was different for various communities. A significant number of participants wanted design standards to be part of the solution. One thing was clear, almost all of the participants felt that the reconsideration of single-family development standards has been long overdue.

Public Workshops

Four Public Workshops were held in four different regions of the City of Los Angeles. The intent of these workshops was to introduce the public to possible code amendments (as refined by the input received from the focus groups) and to get a sense of whether there was a need for what was being proposed. Invitations were mailed to the focus group participants, interested parties, local expeditors, and Certified Neighborhood Councils. The invitation was also emailed to the entire Department of Neighborhood Empowerment list (see the Public Workshop Invitation found in the case file).

<u>November 9, 2006</u>	Central/East Region: Los Angeles City Hall
<u>November 14, 2006</u>	Valley Region: Marvin Braude Building
<u>November 15, 2006</u>	West Region: Felicia Mahood Senior Multipurpose Center
<u>November 16, 2006</u>	South/Harbor Region: Locke High School – Hobbs Hall

A total of 136 participants attended the four public workshops. Of the total attendees, a total of 57 completed surveys which were handed out at each of the workshops. Respondents evaluated the proposals presented at the workshops including: a citywide reduction in FAR for single-family zones, Proportional Stories FAR Bonus, and the Single-Story Height District. The survey results corroborated the general comments we had received via phone and email and at the workshops.

- Approximately 79% of respondents favored the citywide proposal to uniformly reduce FAR from 3:1 to 1:1.
- Overall, a majority (over 75%) of respondents viewed the Proportional Stories FAR Bonus as potentially effective at preserving or improving the visual character of single-family neighborhoods.
- 75% of respondents claimed that the establishment of a Single Story Height District would effectively address the perceived increase in density in low-rise neighborhoods. Many respondents commented that better design of two-story homes would do more to preserve neighborhood character than the creation of a single-story height district alone.
- The most commonly cited attributes contributing to out-of-character structures mentioned were: box-like structures, building size and height, front and side yard setbacks, and architectural style.

A large number of the participants at the workshops strongly believed that a “one size fits all” citywide reduction in FAR for a City of our size should only be one part of the solution, and that a more “neighborhood-specific” vehicle or tool is still needed to address mansionization on a neighborhood-by-neighborhood basis. The most commonly heard comment was that the citywide reduction in FAR works for the city as a whole, but they would like additional tools for their particular neighborhood.

Public Information Sessions

Staff conducted 6 information sessions on the proposed ordinance before, during, and after the public hearings, addressing many groups and organizations for the benefit of community members, architects, and developers. These were held to inform the public on the proposed code amendments, as well as assist in the identification of issues and potential solutions regarding mansionization. Approximately 550 people attended.

<u>March 8, 2007</u>	Westside Neighborhood Council
<u>March 18, 2007</u>	"Saving Los Angeles" Conference
<u>March 19, 2007</u>	The American Institute of Architects (AIA) - Los Angeles Chapter
<u>March 20, 2007</u>	South Robertson Neighborhood Council's Land Use Committee Meeting
<u>March 22, 2007</u>	Mid-City West Neighborhood Council Meeting
<u>April 11, 2007</u>	Tract 7260 Association Annual Meeting

Because of the extensive interest in this ordinance, the Department felt it was important to present the proposal to as many groups as indicated an interest. The PowerPoint presentation and the handouts that were made available at these sessions were also made available to the general public on the Department's website.

Open House/Public Hearing

Two open houses/public hearings were held in late March of 2007. More than 275 participants attended the hearings. The majority of the participants attended the Valley hearing, with nearly 200 participants and 42 of them providing public testimony. Roughly 30 participants provided public testimony at the West Los Angeles Hearing.

March 21, 2007

Valley Region: Marvin Braude Building

March 29, 2007

West Region: Henry Medina Parking Enforcement Facility

Overall, a majority of participants were in support of the proposed code amendments. Many felt that more tailored provisions would still be appropriate. Participants voiced that the “one size fits all” approach is not practical for individual neighborhoods across the City. Others voiced that the affected area should be re-evaluated to consider flat lots in Hillside Areas. Lastly, several speakers expressed that the Floor Area Ratio be determined as a percentage of lot size rather than the current method of using Buildable Area. Generally, participants were in favor of the reduction in FAR and updated development standards for single-family residential neighborhoods.

The Hearing Officer left the public comment period open to any written communication received prior to the hearing and up until Friday, April 6, 2007. A total of 95 letters were received from the general public regarding the proposed ordinance.

Of these letters, 45 were in complete support of the proposed ordinance. Almost the same number of letters, 49, were either in support of the ordinance with some minor modifications, were in support of the proposed ordinance but felt that we need to follow up with more amendments, or were in support of the general intent of the ordinance but proposed their own solutions. Only one letter was received that opposed the proposed ordinance.

Many of the letters were from people who attended the public hearings and echo the comments that were given at the Public Hearings.

City Planning Commission Meetings

May 10, 2007 (Downtown)

The City Planning Commission discussed proposed amendments to the Los Angeles Municipal Code (LAMC) as outlined in the May 10, 2007 Recommendation Report dealing with massing, scale, and size of new construction, additions to, and remodels on single-family residential zoned lots, not located in Hillside Areas or the Coastal Zone (Exhibit C). Based on testimony heard at this meeting, the City Planning Commission continued the subject case to May 24, 2007 as a “workshop” item to consider fine grain modifications to the Baseline Mansionization Ordinance.

May 24, 2007 (Valley)

The City Planning Commission discussed various areas of concern as outlined in the May 24, 2007 Supplemental Report and instructed staff to consider several alternative solutions to the concerns raised at the public meetings to date. The Commission also formed a Subcommittee on Mansionization that was charged to work with staff in reviewing these alternatives and bring a recommendation to the entire Commission. Staff worked closely with the Subcommittee in exploring the alternative options on how to determine maximum development potential and narrowed them down to a recommended alternative solution.

June 14, 2007 (Downtown)

The City Planning Commission discussed the recommended alternative solutions as outlined in the June 14, 2007 Supplemental Report. The Commission set up a meeting that would take place the week of June 18, 2007 between the Subcommittee on Mansionization and a focus group made up of residents and professional organizations to discuss additional modifications to the proposed Baseline Mansionization Ordinance. The item was scheduled for the June 28, 2007 City Planning Commission for a final decision.

EXHIBIT A**PROPOSED ORDINANCE****ORDINANCE NO. _____**

An ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, and Section 12.21.1 of the Los Angeles Municipal Code to establish new regulations for all single-family residential zoned properties (RA, RE, RS, and R1) not located in a Hillside Area or Coastal Zone.

WHEREAS, property values citywide have increased rapidly in recent years, and this high premium for land has encouraged and/or enabled property owners and developers to tear down the original modest-sized houses and replace them with much larger structures, or significantly remodel existing structures with large-scale two-story additions which are out of scale with neighboring properties; and

WHEREAS, recent construction activity has resulted in structures that are significantly larger than the average single-family structure in the City of Los Angeles, approximately 1,700 square-feet, many of which are large two-story box-like structures built out to the required setbacks with only minimum spacing between houses and large second stories, resulting in congested relationships between adjoining houses and a reduction of the neighbors' access to direct sunlight and privacy; and

WHEREAS, the City Council on June 6, 2006, adopted a motion instructing the Department of City Planning, in conjunction with the City Attorney and the Department of Building and Safety, to prepare an ordinance amending the Los Angeles Municipal Code (LAMC) to establish the appropriate size of single-family homes in flat and hillside areas; and

WHEREAS, the said motion instructed that such ordinance should consider: the size of the structure in relation to the size of the lot (floor area ratio) for new construction and additions to existing homes; the relationship between percentage of slope and allowable Buildable Area; amendments to existing Specific Plans and municipal code provisions to ensure consistency of new development with existing structures; and

WHEREAS, the Department of City Planning has analyzed the current development standards for single-family zones and has determined that the municipal code currently allows for structures that are excessively large and that a citywide code amendment is required to reduce the maximum size of single-family development in single-family zones; and

WHEREAS, this ordinance deals with properties zoned single-family residential which are not located in Hillside Areas, as defined in Section 12.03 of the LAMC – referred to in the June 6, 2006 motion as the “flats” and that properties zoned single-family residential and located in Hillside Areas will be addressed in a subsequent ordinance tailored to residential hillside development; and

WHEREAS, this ordinance deals with properties zoned single-family residential which are not located in the Coastal Zone, as defined by the California Coastal Commission because the proposed code amendments required to address mansionization in the Coastal Zone will require substantial coordination and review by the Coastal Commission; and

WHEREAS, delaying the implementation of this ordinance will result in a lapse of time of protection from mansionization for the area within the Sunland-Tujunga Interim Control Ordinance (CPC-2004-2391-ICO, Council File No. 04-2085), and will result in further development that is incompatible with existing neighborhoods throughout the City; and

WHEREAS, this ordinance equitably establishes independent Single-Family Residential Floor Area limitations for each specific zone based on lot size such that as lot size gets progressively larger, the relationship of house size to lot size is maintained proportionally.

WHEREAS, this ordinance amends current development regulations in a meaningful way in order to prevent the construction of homes that are substantially larger than existing single-family homes of a similar lot size and zone.

WHEREAS, the main objective of this Baseline Mansionization Ordinance is to resolve most, but not all of the factors that contribute to the problem of mansionization, and deals directly with issues concerning the wide range of lot sizes found in the City and within specific zones, height limitations, and effectively introduces larger setbacks resulting in a solution that is simple, yet effective.

WHEREAS, the objective of the Ordinance is to mitigate the perceived mass of structures by introducing design controls to encourage articulated roofs and second-stories and to improve the design of single-family structures.

WHEREAS, this ordinance establishes a maximum Single-Family Residential Floor Area, which varies depending on lot size and zone, that prevents structures which are extremely out of proportion with the scale of existing neighborhoods, addresses massing and scale issues raised by various communities, but still allows for reasonable growth in terms of square-footage, and creates a scenario whereby a property can either have a single-story structure with a large footprint, a two-story structure with a smaller footprint and larger setbacks, or a slightly larger two-story structure which is articulated; and

WHEREAS, this ordinance clarifies that deviations from the new proposed Single-Family Residential Floor Area requirements shall not be granted per the Adjustments authority granted to the Zoning Administrator in Subsection A of Section 12.28 of the LAMC; and

WHEREAS, delaying the implementation of this ordinance could result in the continuation of the trend toward development which is inconsistent with the objectives of the General Plan, incompatible with the existing neighborhoods, and irreversible and will result in further impacts to the quality of life in the communities within the City of Los Angeles, and this ordinance needs to take effect upon its publication.

NOW THEREFORE,

**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 "Single-Family Residential Floor Area" and "Base Floor" in proper alphabetical order to read:

BASE FLOOR. Is the largest of the floors of a primary structure, at or above grade, that is not considered a basement. All levels within four (4) vertical feet of each other shall count as a single floor.

BUILDABLE AREA. (Amended by Ord. No. 171,662, Eff. 8/17/97.) All that portion of a lot located within the proper zone for the proposed main building, excluding those portions of the lot which must be reserved for yard spaces, building line setback space, or which may only be used for accessory buildings or uses. For the purpose of computing the height district limitations on total floor area in buildings of any height, the buildable area that would apply to a one-story building on the lot shall be used. Notwithstanding the above, buildable area shall not be used to calculate the total Single-Family Residential Floor Area on properties used primarily for single-family purposes, zoned RA, RE, RS, and R1, and not located in a Hillside Area or Coastal Zone. Total Single-Residential Floor Area for these properties is established in Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08.

Notwithstanding the above, in computing the height district limitations on total floor area for any development of residential dwelling units, or of both residential dwelling units and commercial uses, in the C2, C4, or C5 zones, buildable area shall have the same meaning as lot area. The additional square footage permitted by this calculation for residential use shall not result in an increase in the number of dwelling units beyond that which would have otherwise been permitted but may only be used to increase the floor area or number of habitable rooms within individual dwelling units.

This alternate definition of buildable area shall not apply within the following specific plan areas: Central City West, Century City North, Century City South, Coastal Bluffs, Devonshire/Topanga Corridor, Foothill Boulevard Corridor, Granada Hills, Oxford Triangle, Pacific Palisades Commercial Village/Neighborhoods, Playa Vista Area D, Porter Ranch Land Use/Transportation, San Pedro, Valley Village, and Westwood Village. This alternative definition shall also not apply to any lot for which a “Q” or “D” limitation setting forth a floor area limitation had been imposed before July 1, 1997. In the event of a conflict with any other adopted specific plan, the most restrictive provision shall prevail.

FLOOR AREA. Is that 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. Except that single-family residences on properties zoned RA, RE, RS, and R1, and not located in a Hillside Area or Coastal Zone shall be governed by the definition of Single-Family Residential Floor Area. (Added by Ord. No. 163,617, Eff. 6/21/88, Amended by Ord. No. ###,###, Eff. #/##/##.)

FLOOR AREA, SINGLE-FAMILY RESIDENTIAL. Is that area in square feet confined within the exterior walls of a building or structure on a property used primarily for single-family residential purposes, zoned RA, RE, RS, or R1, and not located in a Hillside Area or Coastal Zone. When a property zoned RA, RE, RS, or R1 is developed primarily for uses other than single-family residence, the Floor Area definition shall apply.

When calculating the Single-Family Residential Floor Area, any portion of a building or structure with a ceiling height greater than 14 feet shall count as twice the square-footage of that area. Any attic or portion thereof with a ceiling height of more than seven (7) feet shall be counted as Single-Family Residential Floor Area.

Except that the following areas shall not be counted towards the Single-Family Residential Floor Area:

1. The first 400 square-feet of existing or proposed attached or detached garage space or parking area; however, the area being provided for parking in excess of 400 square-feet shall be included as Single-Family Residential Floor Area.
2. Detached structures used for storage purposes and not for parking, which are no greater than 200 square feet; however, the total area of these structures shall not exceed 400 square feet.
3. The first 250 square-feet of porches, patios, and breeze-ways with a solid roof which are open on at least two (2) sides, which are not being used for parking purposes; however, the area in excess of 250 square-feet shall be included as Single-Family Residential Floor Area.
4. The first 100 square-feet of any portion of a building or structure with a ceiling height greater than 14 feet shall be counted only once.
5. Basements that comply with the yard setbacks containing habitable or nonhabitable rooms, when the ceiling height does not exceed two feet in height above the finished or natural grade, whichever is less.

Section 2. Subsection C of Sections 12.07, 12.07.01, 12.07.1, and 12.08 of the Los Angeles Municipal Code is amended as follows:

Area Development Standards. No building or structure nor the enlargement of any building or structure shall be ~~hereafter~~ erected ~~or maintained~~ unless the following yards ~~and~~ lot areas, and floor area requirements are ~~provided~~ adhered to and maintained in connection with such building, structure, or enlargement:

Section 3. “RA” Suburban Zone. Subsection C of Sections 12.07 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 25 percent of the area of the subject lot.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if the total area for each story, floor, or level other than the Base Floor does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03.

Section 4. “RE” Residential Estate. Subsection C of Sections 12.07.01 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed the following standards for each RE zone:

RE9 and RE11: 40 percent of the area of the subject lot, except that when the subject lot is 15,000 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 35 percent of the area of the subject lot.

RE15, RE20 and RE40: 35 percent of the area of the subject lot.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if the total area for each story, floor, or level other than the Base Floor does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03.

Section 5. “RS” Suburban Zone. Subsection C of Sections 12.07.1 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 45 percent of the area of the subject lot, except that when the subject lot is 9,000 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 40 percent of the area of the subject lot.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if the total area for each story, floor, or level other than the Base Floor does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03.

Section 6. “R1” One-Family Zone. Subsection C of Sections 12.08 of the Los Angeles Municipal Code is also amended by adding a new Subdivision 5 to read:

5. **Maximum Single-Family Residential Floor Area.** For a lot located in a Hillside Area or Coastal Zone, or a lot not developed primarily for uses other than single-family residence, the maximum Floor Area shall be determined by Subdivision 1 of Subsection A of Section 12.21.1.

The maximum Single-Family Residential Floor Area, as defined in Section 12.03, contained in all buildings or structures shall not exceed 50 percent of the area of the subject lot, except that when the subject lot is 7,500 sq-ft or greater then the Single-Family Residential Floor Area shall not exceed 45 percent of the area of the subject lot.

An additional amount of floor area equal to 20 percent of the maximum Single-Family Residential Floor Area shall be granted if the total area for each story, floor, or level other than the Base Floor does not exceed seventy-five percent (75%) of the Base Floor area, as defined in Section 12.03.

Section 7. Section 12.21.1 of the Los Angeles Municipal Code is amended as follows:

SEC. 12.21.1. HEIGHT OF BUILDING OR STRUCTURES.

No building or structure shall be erected or enlarged which exceeds the total floor area, the number of stories or the height limits hereinafter specified for the district in which the building or structure is located. Provided, however, that with respect to height, buildings and structures located within the boundaries of the Century City North and Century City South Specific Plans shall comply solely with the requirements of the respective specific plan and the requirements of Section 12.21.2 of this Code; that buildings and structures located within Community Redevelopment Plan Areas shall comply with the requirements of Section 12.21.3 of this Code; that buildings and structures located within Enterprise Zones shall comply with the requirements of Section 12.21.4 of this Code; and that buildings and structures located within Centers Study Areas designated on Maps Numbered 1 through 29 referred to in Section 12.21.5 of this Code, shall comply with the requirements of Section 12.21.5 of this Code. Such designations are consistent with the purposes, intent and provisions of the General Plan. (Amended by Ord. No. 161,684, Eff. 11/3/86.)

In the A1, A2, ~~RA, RE, RS, R1, RZ, R2,~~ 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 forty-five (45) feet in height. In the RA, RE, RS, R1 and R2 Zones in Height District No. 1, located in a Hillside Area or a Coastal Zone, no building or structure shall exceed forty-five (45) feet in height. In the RU and RW1 Zones, no building or structure shall exceed thirty (30) feet in height. (Amended by Ord. No. 164,904, Eff. 7/6/89.)

Notwithstanding the preceding paragraph, the following height regulations shall apply on a lot which is not located in a Hillside Area, or Coastal Zone: Except as set forth below, in the R2 Zone, no building or structure shall exceed 33 feet in height. Except as set forth below, in the R1, ~~R2,~~ RS, or RE9 zones, no building or structure shall exceed 33 feet in height; except that when a building or structure or portion thereof has a slope of less than twenty-five percent (25%), the maximum height shall be 28 feet. Except as set forth below, in the RE11, RE15, RE20, RE 40 or RA zones, no building or structure shall exceed 36 feet in height; except that when a building or structure or portion thereof has a slope of less than twenty-five percent (25%), the maximum height shall be 30 feet. Provided, however, that when 40 percent or more of the existing single family dwellings with frontage on both sides on the block of the same street as the frontage of the subject lot have building heights exceeding these limits, the maximum height for any building on the subject lot shall be the average height of the dwellings exceeding these limits. Height requirements in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this section. This section shall apply when there are no such height requirements imposed on lots by a specific plan or an Historic Overlay Zone or created by a subdivision approval. (Added by Ord. No. 169,775, Eff. 6/2/94.)

In the CR Zone and those portions of the RD, R3, and RAS3 Zones, which are in Height District Nos. 2, 3 or 4, no building or structure shall exceed six stories nor shall it exceed 75 feet in height. However, a building designed and used entirely for residential purposes or a residential building in the RAS3 Zone that has commercial uses on the ground floor, shall only be limited as to the number of feet in height. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

In the PB Zone, no parking building shall exceed a height of two stories in Height District No. 1; provided, however, that the parking of automobiles shall be permitted on the roof of the parking building if a solid enclosing wall or parapet wall at least three feet six inches in height is provided and maintained

around all those portions of the roof which are arranged and used for the parking of automobiles. No parking building in a PB zone shall exceed a height of six stories in Height District No. 2, ten stories in Height District No. 3 or 13 stories in Height District No. 4. Basement floors, located entirely below the natural or finished grade of a lot, whichever is lower, shall not be considered in computing the permitted height of parking buildings in the PB Zone. (Amended by Ord. No. 122,569, Eff. 9/2/62.)

A. Limitations

1. ~~(Amended by Ord. No. 163,627, Eff. 6/20/88.)~~ 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 said lot; for a lot in all other zones, except RA, RE, RS, and R1-zoned properties not located in a Hillside Area or Coastal Zone and developed primarily for single-family residential uses, 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 said lot. For RA, RE, RS, and R1-zoned properties not located in a Hillside Area or Coastal Zone and developed primarily for single-family residential uses, the total Single-Family Residential Floor Area shall be as determined by the Development Standards in Subsection C of each zone.

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 such District exceed 30 feet in height. ~~(Amended by Ord. No. 174,999, Eff. 1/15/03.)~~ 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 Habitable Level, nor shall the highest point of the roof of any building or structure located in such District exceed 18 feet in height. For the purposes of Height District No. 1-SS, Habitable Level shall mean all floor levels used for overnight stay by the occupants or their guests of a dwelling within four (4) feet of each other.

Section 8. Subsection A of Section 12.28 of the Los Angeles Municipal Code is amended as follows:

A. Adjustments. ~~(Amended by Ord. No. 173,492, Eff. 10/10/00.)~~ 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. The Zoning Administrator's shall not have the authority to grant an Adjustment or Slight Modification to Single-Family Residential Floor Area limitations.

Section 9. APPLICABILITY OF THE ZONING CODE. The regulations of this Ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in that Chapter or any other ordinances.

Section 10. SEVERABILITY. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance which can be implemented without the invalid provision, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 11. 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 vote of not less than three-fourths of all of its members, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

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

June , 2007

See attached report

By _____
(CITY ATTORNEY STAFF)
(Title)

S. Gail Goldberg
Director of Planning

Date _____

File No. _____

EXHIBIT B**NEGATIVE DECLARATION
ENV-2007-107-ND**

<p style="text-align: center;">CITY OF LOS ANGELES OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT NEGATIVE DECLARATION</p>		
LEAD CITY AGENCY		COUNCIL DISTRICT
LOS ANGELES CITY PLANNING DEPARTMENT		Citywide
PROJECT TITLE		CASE NO.
Neighborhood Character Ordinance		CPC-2007-0106-CA ENV-2007-0107-ND
PROJECT LOCATION		
Citywide excluding Hillside Areas and the Coastal Zone.		
PROJECT DESCRIPTION		
<p>The proposed Ordinance includes amendments to the Los Angeles Municipal Code (LAMC sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08 and 12.21.1) to establish new regulations for single-family residential uses in the City. The amendments would result in: a reduction to the existing Floor Area Ratio (FAR); a Proportional Story provision addressing the massing of a residence; creation of a Single-Family Residential Floor Area and Base Floor definition; creation of a Single-Story Height District available only for properties zoned single-family residential; and a discretionary review process for projects that exceed the new FAR requirements.</p>		
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY		
N/A		
FINDING:		
<p>The <u>City Planning Department</u> of the City of Los Angeles has proposed that a negative declaration be adopted for this project.</p> <p>The Initial Study indicates that no significant impacts are apparent which might result from this project's implementation.</p> <p>This action is based on the project description above.</p>		
<p>Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt this negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.</p>		
THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.		
NAME OF PERSON PREPARING THIS FORM	TITLE	TELEPHONE NUMBER
Michelle Sorkin	City Planning Assistant	(213) 978-1199
ADDRESS	SIGNATURE (Official)	DATE
200 N. Spring St., Rm 621 Los Angeles, CA 90012	 Betsy Weisman, Principal Planner	04/06/2007

EXHIBIT C
AFFECTED AREA MAP

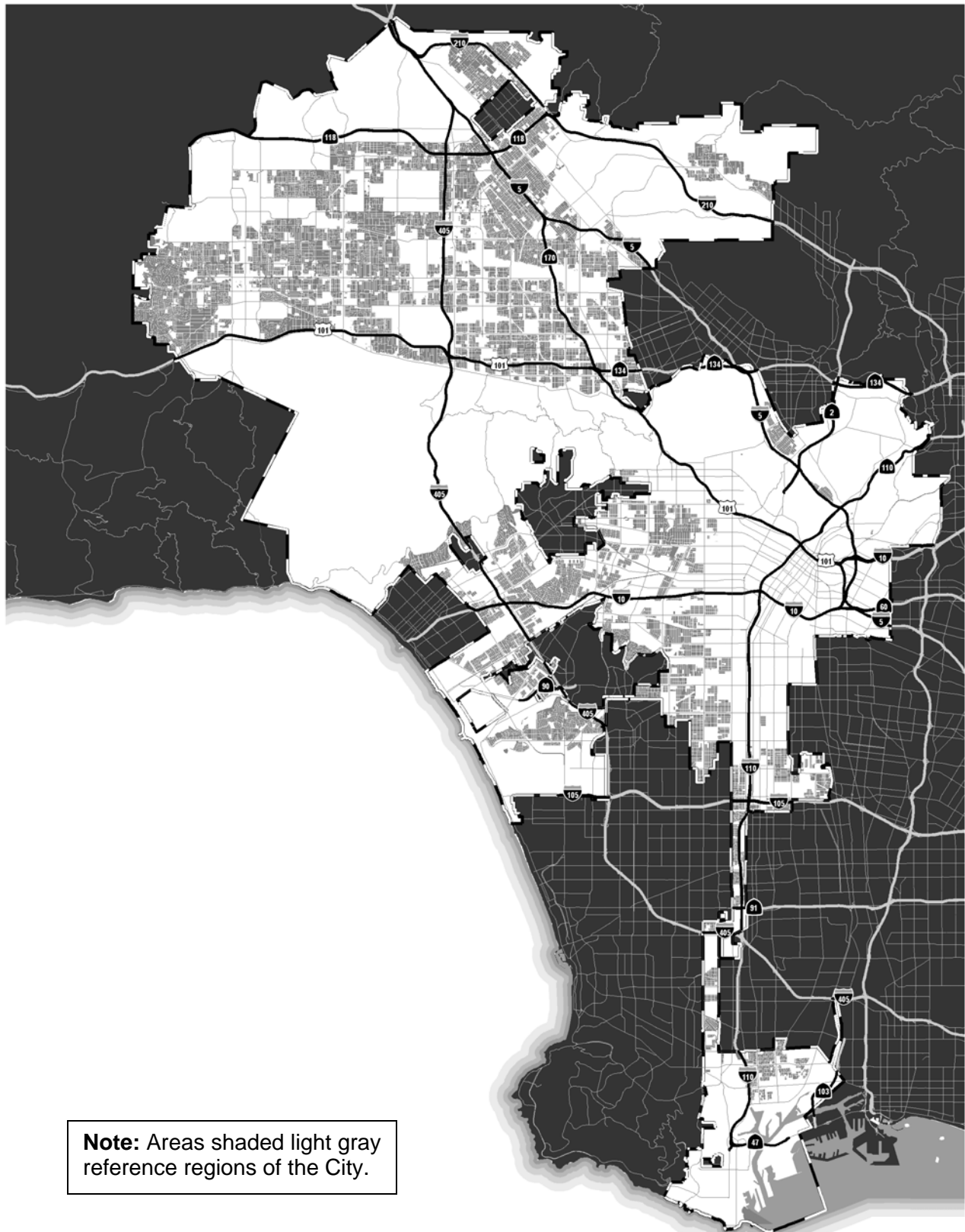


EXHIBIT D

COUNCIL MOTION, CF NO. 06-1293

MOTION PLANNING and LAND USE MGT.

JUN 06 2006

Preservation of established single-family neighborhood character has emerged as a citywide issue, in both the flat and hillside areas of the City. Changes in land value, housing preference and housing inventory are all playing a part in the trend toward larger and larger single family homes being constructed in the City. These larger homes, however, are often incompatible with the established scale and character of existing single-family neighborhoods.

Current Los Angeles Municipal Code (LAMC) provisions governing building height, yard setbacks and, in hillside areas, building footprint lot coverage, are insufficient to address the issues of massing and bulk of single family homes, both in relationship to the property on which they are built and to the neighboring existing homes. For example, a 7,020 square-foot house can be constructed by right on a 5,000 square-foot lot; on a 7,500 square-foot lot, a 11,040 square-foot house can be constructed, also without any variances or other entitlements.

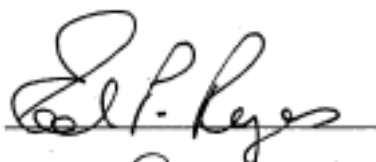
Existing communities and neighborhoods have been demanding interim control ordinances to control this overbuilding. However, ICO's are temporary measures which are meant to curb activity until permanent legislation is approved. Creation of ICO's and processing of hardship exemptions consume staff resources that would be more efficiently used in pursuing a permanent solution. Therefore, rather than creating a patchwork of ICOs, a comprehensive, citywide approach is needed.

I THEREFORE MOVE that the Department of City Planning, in conjunction with the City Attorney and the Department of Building and Safety, be directed to prepare an ordinance amending the LAMC to establish the appropriate size of single family homes in flat and hillside areas. Such ordinance should consider: the size of the structure in relation to the size of the lot (floor area ratio), for both new construction and additions to existing homes the relationship between percentage of slope and allowable buildable area amendments to existing Specific Plans and municipal code provisions to ensure consistency.

PRESENTED BY:



SECONDED BY:



JUN 06 2006

EG

06-1292



