

## **DRAFT 9/28/09 – ALLEY MAINTENANCE Q**

### **[Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL**

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

#### **A. Site Planning & Building Orientation.**

1. No surface or above-grade parking shall be allowed between a building and any street. Surface parking shall be located at the rear of buildings on the site. Parking can also be enclosed within a structure, or entirely below grade. Below grade parking structures can occupy the entire footprint of a lot.
2. Underground parking areas shall be designed so that the upper surface of the finished floor of the first level above the uppermost parking level at all exterior walls facing a public street does not extend more than six feet above sidewalk elevation.
3. No driveways shall be permitted for access to developments from local or collector streets, unless permitted by Subsection C of this ordinance.

#### **B. Alleys.**

1. Projects shall incorporate the use of existing alleys into the design of site access and circulation plans. The use of existing alleys shall be used for vehicular access, loading and service.
2. Lighting fixtures fronting an alley shall be part of the design of all new construction, and shall be placed a minimum of every 30 linear feet.
3. Dumpsters and trash enclosures shall be served from alleys, and enclosed or screened from view.

#### **C. Mid-Block Access.**

1. This sub-section applies to any development, on a lot which is greater than 250 feet from the centerline of Vine Street, El Centro Avenue or Gower Street, whichever of these streets is closest to the development.
2. For projects that meet the requirements above, one development per block face shall be permitted to construct an additional north-south oriented alley which shall provide access to its parking, as well as access to adjacent developments and public alleys.

- D. Height.** No building or structure located on the subject property shall exceed 35 feet in height. However, a maximum building height of 45 feet shall be permitted provided that the following conditions are met:

1. for buildings with less than 70 linear feet of street frontage, any additional height above 35 feet shall be stepped back one foot for each additional foot of height above 35 feet from any exterior facade that fronts a street, as well as the rear exterior facade.
2. for buildings with 70 linear feet of street frontage or greater, any additional height above 35 feet shall be stepped back one foot for each additional foot of height above 35 feet from all exterior facades of the structure.

**E. Rooftop Structures.** All structures on the roof, including air conditioning units, mechanical equipment, vents, and parapets, shall be fully screened from view from any adjacent residential zoned properties.

**F. Landscaping.** All open areas not used for buildings, driveways, surface parking areas, recreational facilities, or walks shall be attractively landscaped, including an automatic irrigation system, in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Planning Department.

**G. Street Trees.** Street trees 20 feet on center (24 inch box), with root collars to prevent uplifting of sidewalks, shall be provided. Street tree type shall match the prevailing street tree of the street provided that the tree species is an approved species per the current LAMC.

**H. Open Space.**

1. Open space shall be provided per LAMC. Required terraces and courtyards may count as common open space provided minimum dimensions per LAMC are met.
2. A minimum of 50 percent of common usable open space areas shall be planted in ground cover, shrubs or trees. Trees shall be planted on the property, including street trees, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size, and shall be planted within open space areas. An automatic irrigation system shall be provided for all required landscaped areas. Landscaped areas located on top of a parking garage or deck shall include permanent planters at least 30 inches in depth (12 inches for lawn/ground cover) and be properly drained.

**I. Parking Level Screening.** Any portion of a parking level, the height of which exceeds grade, shall be screened from the view of the public right-of-way by landscape features including trees, shrubbery, planter boxes or berms at least three (3) feet in height. Any planter box or berm shall not be considered in calculating additional height of a structure.

1. **Massing.** For a building between 150-190 linear feet in width or depth, one of the following two options shall be met:

- option 1: A front courtyard shall be provided adjacent to the front yard setback at ground level, with a minimum width and depth of 20

linear feet and a minimum total area of 700 square feet. A required front courtyard shall be open to the sky. A required front courtyard shall not be located within 40 linear feet of a side property line. Any front courtyard fencing shall be predominantly open or transparent in design, using wrought iron or similar material combining limited solid portions and open or transparent spaces. A required front courtyard shall be located no more than three (3) vertical feet from sidewalk grade. A minimum of 20 percent of a required front courtyard shall consist of planted ground cover, shrubs, trees, water features, or permanent planter boxes.

option 2: Terraces. Terraces shall be provided along the front facade of a building to provide articulation and open space. Each residential unit located on the second floor or above, with exposure to the front facade, shall provide a minimum of one terrace. Required terraces shall be located along the front facade of the building and shall have a minimum area of 100 square feet each. Each terrace shall have a minimum width and depth of 8 linear feet. Required terraces need not be open to the sky but shall not be enclosed. For those portions of a building above 35 feet, a building stepback of 8 linear feet or greater shall satisfy this requirement.

For a building greater than 190 linear feet in width or depth, no portion of a building above grade level shall exceed 190 linear feet in either width or depth excluding those portions of the building used for parking. If a building exceeds 190 linear feet in width or depth below grade level, then any two portions of the building above grade level that would together exceed 190 linear feet shall be considered separate buildings with an assumed common lot line between them, and each portion shall be set back from such assumed common lot 5 feet, excluding those portions of the building used for parking.

## **DRAFT 9/28/09 – Q: HYBRID INDUSTRIAL INCENTIVE**

### **(Q) QUALIFIED CONDITIONS OF PERMANENT APPROVAL**

Pursuant to Section 12.32.L of the Los Angeles Municipal Code, the following limitation is hereby imposed upon the use of the property shown in Section 1 hereof which is subject to the “D” Development Limitation.

1. Residential uses shall only be permitted if a project incorporates a minimum FAR of 0.7:1 targeted media-related industrial uses, including: film, tape,, television, video, internet and other media production, editing and reconstruction; film archiving, storage and exchange; studio equipment manufacture, rental and storage; music, film, television and internet publishing; sound recording; broadcast studios; facilities for the development of software and other computer and media-related products and services.

## **DRAFT 09/28/09 – Q: MAINTENANCE OF INDUSTRIAL USES**

### **[Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL**

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. No residential development shall be permitted, including artist-in-residence or live-work conversion, except for a watchman or caretaker as permitted by the MR zone.

**DRAFT 09/28/09 – Q: NO RESIDENTIAL ONLY**

**[Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL**

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. No 100% residential development shall be permitted.

## **DRAFT 09/28/09 – Q: NO AUTO-RELATED USES**

### **[Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL**

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. The following uses shall be prohibited: Automotive Display Room, Automotive Exhaust Test Station, Automotive Painting, Automotive Parts and Accessories Sales (new and used), Automotive Rental, Automotive Repairing, Automotive Sales (new and used), Automotive Service Station, Automotive Storage Area, Automotive Storage Garage, Automotive Upholstering, Car Wash, Compressed Natural Gas Automobile Refueling Station, Gasoline Station, Recyclable Material Deposit and drive-through windows.

## DRAFT 09/28/09 – Q: PEDESTRIAN DESIGN

### [Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

- A. Application.** The provisions of this condition shall apply to Projects within all zones that contain the [Q] Qualified Condition, except when these provisions conflict with the provisions of a Specific Plan, wherein the provisions of the specific plan shall prevail. Additionally, the provisions of Subsection 2 of Paragraph D shall not apply to Projects consisting of one hundred percent residential uses. For corner or other lots with multiple street frontages, design regulations delineated in Section D.1 and D.2 shall only apply to a single street frontage of a Project that is designated the Primary Frontage, unless otherwise indicated. Where the regulations contained within this section conflict with those contained within 12.22 A.23, the conditions contained herein shall prevail.
- B. Definitions.** For purposes of this [Q] Qualified Condition, the following words and phrases are defined:
- 1. Pedestrian Amenities.** Pedestrian amenities include outdoor sidewalk cafes, public plazas, retail courtyards, water features, kiosks, paseos, arcades, patios, covered walkways, or spaces for outdoor dining or seating that are located at the ground level.
  - 2. Project.** The erection, construction, addition to, or exterior structural alteration of any building or structure. A project does not include any change of use, or construction that consists solely of (1) interior remodeling, interior rehabilitation or repair work; (2) alterations of, including structural repairs, or additions to, any existing building or structure in which the aggregate value of the work, in any one 24-month period, is less than 50 percent of the building or structure’s replacement value before the alterations or additions, as determined by the Department of Building and Safety, unless the alterations or additions are to any building facade facing a public street.
  - 3. Primary Lot Line** be limited to one of the property lines adjacent to or abutting a public street. On lots with fronting more than one public street, the Director of Planning shall determine the Primary Lot Line.
  - 4. Primary Frontage** shall be the exterior building walls facing the Primary Lot Line. For the purposes of this provision, all exterior walls that intersect a plane parallel to a lot line at 45 degrees or less shall be considered to be facing the Primary Frontage. When the Primary Lot Line is not straight, a line connecting the points where the secondary or side lot lines and the primary lot line intersect shall be used.
- C. Prohibition.** No building permit shall be issued for any project located in whole or in part within a legal parcel with a [Q] Qualified Condition that does not comply

with the regulations or intent specified under Section D - Development Regulations.

**D. Development Regulations.** Wherever this [Q] Qualified Condition contains provisions more restrictive than those contained in L.A.M.C. Chapter 1, the regulations stipulated within the [Q] Qualified Condition shall prevail and supersede the other applicable provisions.

**1. Building Location.**

- a) Each Project shall have a ground floor, as defined in L.A.M.C. Section 12.03.
- b) Structures shall be designed and sited so that the Primary Frontage occupies 100 percent of the length of a Primary Lot Line abutting a public street, exclusive of required driveways per Subdivision 5 and of walkways as outlined in this section. One walkway, not to exceed 10' in width each, shall be permitted for every 200 linear feet of frontage.
- c) The ground floor of any exterior building wall (façade), up to a height of not less than 12 feet, measured from adjacent sidewalk grade, must be located within 5 feet of the primary lot line for the entire length of the Primary Frontage. However, buildings may be set back from the primary lot line more than the maximum 5 feet when the Primary Frontage is used for Pedestrian Amenities, as defined in this condition.

**2. Transparency.**

- a) A minimum of 50% of the exterior wall of the Primary Frontage building wall, which is comprised of the area between 2 feet to 8 feet above sidewalk grade, must be comprised of clear, untinted, unfrosted, non-reflective windows to allow maximum visibility from sidewalk areas into the interior of commercial uses.
- b) The above regulations shall not apply to projects containing 100 percent residential uses.

**3. Pedestrian Access.**

- a) A primary building entrance to each ground floor use shall be located within the Primary Frontage or pedestrian amenity space and shall provide direct access from the sidewalk without crossing a parking lot or driveway. Entrances shall be no more than 3 feet above or below the adjacent sidewalk grade.
- b) Street-oriented entrance(s) along the Primary Frontage shall remain open during normal business hours.

**4. Parking.** No surface or above-grade parking shall be allowed between the building and any street. Surface parking shall be located at the rear of buildings on the site. Parking can also be enclosed within a structure, or entirely below grade. Below grade parking structures can occupy the entire footprint of a lot.

**5. Driveways and Vehicular Access.** Vehicular access to off-street parking and loading areas shall be provided from any frontages other than the

Primary Frontage, unless determined infeasible by the Director of Planning, in consultation with the Department of Transportation. Each driveway shall not exceed 30 feet in width. Multiple driveways located on the same project shall be a minimum of 200 feet apart from each other.

## **DRAFT 09/28/09 – Q: VERMONT-WESTERN STATION NEIGHBORHOOD AREA PLAN (SNAP) CONSISTENCY**

### **[Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL**

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. All developments shall comply with the Vermont-Western Station Neighborhood Area Specific Plan (Ordinance No. 173,749) and its guidelines except where a Specific Plan Exception is granted.

## DRAFT 09/28/09 – Q: STEPBACKS AND DESIGN

### [Q] QUALIFIED PERMANENT CONDITIONS OF APPROVAL

Pursuant to Section 12.32.G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. Plans. Prior to issuance of building permits, detailed development plans, including a complete landscape plan and irrigation plan shall be submitted to the satisfaction of the Planning Department in consultation with the council office.
2. Approval Verification. Copies of any approvals, guarantees or verification of consultations, review or approval as may be required by the following conditions of approval shall be provided to the Planning Department for attachment to the subject file.
3. Definition. Any agencies or public officials referenced in these conditions shall mean those agencies or public officials or their successors or designees.
4. Height. No building or structure located on the subject property shall exceed 35 feet in height. However, a maximum building height of 45 feet shall be permitted provided that the following conditions are met:
  - a. for buildings with less than 70 linear feet of street frontage, any additional height above 35 feet shall be stepped back one foot for each additional foot of height above 35 feet from any exterior facade that fronts a street, as well as the rear exterior facade.
  - b. for buildings with 70 linear feet of street frontage or greater, any additional height above 35 feet shall be stepped back one foot for each additional foot of height above 35 feet from all exterior facades of the structure.
5. Height. In addition to the above, for those building frontages facing R1 zoned lots, a maximum building height of 45 feet shall be permitted provided that one of the two following options are met along the building facade fronting the R1 zoned lot:
  - option 1: any height between 25 and 35 feet shall be stepped back  $\frac{1}{2}$  foot for each additional foot of height between 25 and 35 feet, and any additional height above 35 feet shall be stepped back one foot for each additional foot of height above 35 feet from that portion of the building below.
  - option 2: any additional height above 35 feet shall be stepped back 20 feet from the exterior wall of the structure.
6. All structures on the roof, including air conditioning units, mechanical equipment, vents, and parapets, shall be fully screened from view from any adjacent residential zoned properties. Roof projections shall be located a minimum of 5 linear feet from the roof edge and limited to a height of 5 feet.

7. **Setbacks.** A 15-foot setback shall be required on any side of a building that is abutting any R1 zoned lot.
8. **Landscaping.** All open areas not used for buildings, driveways, surface parking areas, recreational facilities, or walks shall be attractively landscaped, including an automatic irrigation system, in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Planning Department.
9. **Rear yard setback areas** shall not be used for surface parking, and shall be landscaped as a greenbelt area with a maximum of 20 percent hardscape. Vegetative landscape screening shall be incorporated into the landscape plan to minimize views across rear property lines. Trees shall be planted in the rear yard setback area at a ratio of one tree per every 300 square feet of rear yard provided. Trees may not be less than 24-inch box in size.
10. **Street Trees.** Street trees 20 feet on center (24 inch box), with root collars to prevent uplifting of sidewalks, shall be provided. Street tree type shall match the prevailing street tree of the street provided that the tree species is an approved species per the current LAMC.
11. **Open Space.** Open space shall be provided per LAMC. Required terraces and courtyards may count as common open space provided minimum dimensions per LAMC are met.
12. A minimum of 50 percent of common usable open space areas shall be planted in ground cover, shrubs or trees. Trees shall be planted on the property, including street trees, at a ratio of one tree for every 1,000 square feet of lot area. Trees may not be less than 24-inch box in size, and shall be planted within open space areas. An automatic irrigation system shall be provided for all required landscaped areas. Landscaped areas located on top of a parking garage or deck shall include permanent planters at least 30 inches in depth (12 inches for lawn/ground cover) and be properly drained.
13. **Parking Level Screening.** Any portion of a parking level, the height of which exceeds grade, shall be screened from the view of the public right-of-way by landscape features including trees, shrubbery, planter boxes or berms at least three (3) feet in height. Any planter box or berm shall not be considered in calculating additional height of a structure.
14. **Articulation.** Articulation on all facades of the building shall be applied with equal rigor.
15. **Balconies.** Balcony protrusions into required yard setbacks shall be limited to 24 inches. The horizontal dimension of each protruding balcony shall be limited to 75 percent of the width of the residential unit it serves.
16. **Massing.** For a building between 150-190 linear feet in width or depth, one of the following two options shall be met:
  - option 1: A front courtyard shall be provided adjacent to the front yard setback at ground level, with a minimum width and depth of 20

linear feet and a minimum total area of 700 square feet. A required front courtyard shall be open to the sky. A required front courtyard shall not be located within 40 linear feet of a side property line. Any front courtyard fencing shall be predominantly open or transparent in design, using wrought iron or similar material combining limited solid portions and open or transparent spaces. A required front courtyard shall be located no more than three (3) vertical feet from sidewalk grade. A minimum of 20 percent of a required front courtyard shall consist of planted ground cover, shrubs, trees, water features, or permanent planter boxes.

option 2: Terraces. Terraces shall be provided along the front facade of a building to provide articulation and open space. Each residential unit located on the second floor or above, with exposure to the front facade, shall provide a minimum of one terrace. Required terraces shall be located along the front facade of the building and shall have a minimum area of 100 square feet each. Each terrace shall have a minimum width and depth of 8 linear feet. Required terraces need not be open to the sky but shall not be enclosed. For those portions of a building above 35 feet, a building setback of 8 linear feet or greater shall satisfy this requirement.

For a building greater than 190 linear feet in width or depth, no portion of a building above grade level shall exceed 190 linear feet in either width or depth excluding those portions of the building used for parking. If a building exceeds 190 linear feet in width or depth below grade level, then any two portions of the building above grade level that would together exceed 190 linear feet shall be considered separate buildings with an assumed common lot line between them, and each portion shall be set back from such assumed common lot 5 feet, excluding those portions of the building used for parking.