

SEC. 12.21 – GENERAL PROVISIONS.

A. Use.

1. Conformance and Permits Required.

(a) **Permits and Licenses.** No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved, or maintained, nor shall any building, structure or land be used or designed to be used for any use other than is permitted in the zone in which such building, structure or land is located and then only after applying for and securing all permits and licenses required by all laws and ordinances. *(Amended by Ord. No. 131,319, Eff. 1/16/66.)*

(b) **Flexible Units.** Whenever a layout within any dwelling unit or guest room is designed with multiple hallway entrances, multiple toilet and bath facilities or bar sink installations, so that it can be easily divided into or used for separate apartments or guest rooms, the lot area requirements and the automobile parking requirements shall be based upon the highest possible number of dwelling units or guest rooms obtainable from any such arrangement. *(Amended by Ord. No. 149,118, Eff. 2/6/77.)*

2. Other Use and Yard Determinations by the Zoning Administrator. The Zoning Administrator shall have authority to determine other uses, in addition to those specifically listed in this article, which may be permitted in each of the various zones, when in his or her judgment, the other uses are similar to and no more objectionable to the public welfare than those listed.



The Zoning Administrator shall also have authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.

The City Planning Commission shall hear appeals on citywide Zoning Administrator interpretations, and the Area Planning Commission shall hear appeals on site specific Zoning Administrator interpretations. In no instance, however, shall the Zoning Administrator determine, nor shall these regulations be so interpreted, that a use may be permitted in a zone when that use is specifically listed as first permissible in a less restrictive zone; e.g. a use listed in the C2 Zone shall not be permitted in the C1 Zone.

The Zoning Administrator shall also have authority to adopt general interpretations determining the proper application of the yard regulations to groups of lots located in hillside districts or affected by common problems.

(Amended by Ord. No. 173,492, Eff. 10/10/00.)

3. Zone Group Classification. Whenever the terms A Zone, R Zone, C Zone or M Zone are used in this Article, they shall be deemed to refer to all zones containing the same letters in their title; provided, however, the term A Zone shall include the RA Zone, the term R Zone shall include the RD, RE, RS, RW, RU, RZ and RMP Zones, the term C Zone shall include the CR and CM Zones, and the term M Zone shall include the MR Zones. *(Amended by Ord. No. 164,904, Eff. 7/7/89.)*

4. Off-Street Automobile Parking Requirements. A garage or an off-street automobile parking area shall be provided in connection with and at the time of the erection of each of the buildings or structures hereinafter specified, or at the time such buildings or structures are altered, enlarged, converted or increased in capacity by the addition of dwelling units, guest rooms, beds for institutions, floor area or seating capacity. The parking space capacity required in said garage or parking area shall be determined by the amount of dwelling units, guest rooms, beds for institutions, floor area or seats so provided, and said garage or parking area shall be maintained thereafter in connection with such buildings or structures. *(Amended by Ord. No. 145,088, Eff. 10/20/73, Oper. 11/20/73.)*

(a) **For Dwelling Units.** In all zones, there shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon, and in any RW Zone there shall be at least two automobile parking spaces per dwelling unit which shall be upon the same lot with such dwelling unit. The ratio of parking spaces required for all other dwelling units shall be at least one parking space for each dwelling unit of less than three habitable rooms, one and one-half parking spaces for each dwelling unit of three habitable rooms, and two parking spaces for each dwelling unit of more than three habitable rooms. Where the lot is located in an RA, RE, RS, R1, RU, RZ, RMP, or RW Zone, the required parking spaces shall be provided within a private garage. Where the lot is located in an R2 Zone, at least one of the required parking spaces per dwelling unit shall be provided within a private garage. Any door or doors installed at the automobile entry to a garage serving a one or two-family dwelling wherein one or more required parking spaces is located shall be of conventional design, constructed so as to permit the simultaneous entry of automobiles into each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position.

The above area requirements shall not apply to mobilehomes parks or mobilehomes located within mobilehome parks. Mobilehome parks are subject to the requirements of Title 25 of the California Administrative Code.

(Amended by Ord. No. 164,904, Eff. 7/7/89.)

(b) **For Guest Rooms.** Automobile parking spaces shall be provided in the following ratios for the guest rooms included within any building:

- (1) One parking space for each individual guest room or suite of rooms for the first 30;
- (2) One additional parking space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; and
- (3) One additional parking space for each three guest rooms or suites of rooms in excess of 60.

(Amended by Ord. No. 129,334, Eff. 2/28/65.)

(c) **For Commercial and Industrial Buildings.** Except as otherwise provided in subparagraphs (1) through and including (7), there shall be at least two automobile parking spaces for each 1,000 square feet of combined floor area contained within all the office, business, commercial, or research and development buildings on a lot, and one automobile parking space for each 500 feet of combined floor area contained within all manufacturing or industrial buildings on any lot.

A specific plan may impose less restrictive parking requirements, if it expressly states that the specific plan's parking provisions are intended to supersede the standards set forth in this paragraph.

In the case of buildings where bicycle parking spaces are required by Subdivision 16 of this subsection, the minimum number of required automobile parking spaces may be reduced by the same number as the number of bicycle spaces required for the building.

(1) **Warehouse:** Where a building or portion thereof is designed, arranged or used as a warehouse including storage buildings for household goods and has a gross floor area in excess of 10,000 square feet, in addition to the one automobile parking space for each 500 square feet of floor area for the first 10,000 square feet, only one parking space need be provided for each 5,000 square feet of floor area in excess of the first 10,000 square feet contained in such warehouse. Such warehouse may not be changed to another use unless additional parking space is provided to meet the requirements contained herein for such other uses.

(2) **Health Clubs:** There shall be at least one automobile parking space for each 100 square feet of floor area in any building being utilized for a health club, athletic club, bath house, gymnasium, dance studio, dance hall, or any similar establishment, which operates as a private facility or offers the use of the premises and equipment to the general public for physical exercise, dance or sports activities. This provision does not include such a facility located in a building which is accessory to an elementary school, junior high school or senior high school as defined in Section 12.03 of this article or any other institution of learning under the jurisdiction of the State Department of Education. This provision does not include such a facility located within an office building of at least 50,000 square feet or more of gross floor area, or located within the Downtown Business District parking exception area described in Paragraph (i) of this subdivision.

(3) **Restaurants and Bars, General:** There shall be at least one automobile parking space for each 100 square feet of gross floor area included within the total square footage of any restaurant, café, coffee shop, tea room, fast food establishment, bar, night club, or any similar establishment, which dispenses food or refreshments or provides dancing or live entertainment. This requirement shall only apply to an establishment which has a gross floor area greater than 1,000 square feet. An establishment which provides no seating and exclusively dispenses food or refreshments to be eaten off the premises is not included in this definition and shall instead meet the requirement for general retail uses.

(4) **Restaurant, Small:** If a restaurant, café, coffee shop, or other dining establishment has a gross floor area of 1,000 square feet or less, then it need provide only one automobile parking space for each 200 square feet of gross floor area. However, if such an establishment has a separate bar, or provides dancing or live entertainment, then additional parking shall be provided to meet the requirements for general restaurants set forth in Subparagraph (3) of this paragraph.

(5) **Retail Stores, General:** Retail establishments, other than those located in a mini-shopping center, and discount wholesalers selling to the general public, shall provide at least four automobile parking spaces for each 1,000 square feet of gross floor area.

(6) **Retail, Furniture Stores:** Furniture stores, major appliance stores, or similar establishments shall provide at least one automobile parking space for each 500 square feet of gross floor area.

(7) **Trade Schools:** Trade schools, business colleges, professional or scientific schools, music schools, chiropractic schools, or any similar commercial school shall provide at least one automobile parking space for each 50 square feet of floor area contained within classrooms and assembly areas, or one parking space for each five fixed seats contained within classrooms and assembly areas, whichever provides the greater number of parking spaces. This does not include classroom area where heavy equipment is used in conjunction with training, which shall instead provide at least one parking space for each 500 square feet of floor area.

(Amended by Ord. No. 167,409, Eff. 12/19/91.)

(Amended by Ord. No. 165,773, Eff. 5/21/90.)

(d) **For Institutions.** There shall be at least one automobile parking space for each 500 square feet of floor area contained within any philanthropic institution, governmental office building, or similar use. Institutions which provide medical services, such as hospitals, sanitariums, convalescent homes, clinics, medical office buildings and other medical service facilities, shall make the following provisions for off-street automobile parking:

(1) Hospitals shall provide 2.0 automobile parking spaces for each patient bed for which the hospital is licensed.

(2) Sanitariums and convalescent homes shall provide one automobile parking space for each 500 square feet of floor area, or 0.2 automobile parking spaces per patient bed, for which the facility is licensed, whichever provides the greater number of automobile parking spaces.

(3) Clinics, as defined in Health and Safety Code Section 1202, medical office buildings and other medical service facilities shall provide one automobile parking space per 200 square feet of total floor area.

(4) Any institution providing a mixture of medical service, such as a combined hospital/clinic facility, shall meet the requirements for automobile parking spaces as if each portion of the facility were an independent entity.

(Amended by Ord. No. 145,088, Eff. 10/20/73.)

(e) **For Auditoriums.** There shall be at least one automobile parking space for each five seats contained within any theatre, church, high school, college or university auditorium, or general auditorium stadium or other similar place of assembly. Where there are no fixed seats in the auditorium or place of assembly, there shall be one parking space for each 35 square feet of floor area (exclusive of stage) contained therein.

(f) **For Elementary Schools.** There shall be one automobile parking space on the same lot with each classroom contained in any elementary school.

(g) **Location of Parking Area.** The automobile parking spaces required by Paragraphs (b), (c), (d), and (e) hereof, shall be provided either on the same lot as the use for which they are intended to serve or on another lot not more than 750 feet distant therefrom; said distance to be measured horizontally along the streets between the two lots, except that where the parking area is located adjacent to an alley, public walk or private easement which is easily useable for pedestrian travel between the parking area and the use it is to serve, the 750-foot distance may be measured along said alley, walk or easement. *(Amended by Ord. No. 145,088, Eff. 10/20/73.)*

(h) **Access Driveways.** An access driveway shall be provided and maintained between each automobile parking space or area and a street, or alley, or a private street or easement approved in accordance with the provisions of Article 8 of this chapter. Such access driveway shall be located entirely on the lot which it serves. However, an access driveway need not be located entirely on the same lot as the dwelling and parking space it serves if the driveway, lot and dwelling existed on September 6, 1961, and additions and alterations may be made to such dwelling, and accessory buildings may be added on such lot, if no additional dwelling units or guest rooms are created. *(Amended by Ord. No. 142,306, Oper. 2/9/72.)*

(i) **Exception--Downtown Business District.** Notwithstanding any other provisions of this section to the contrary, within that area hereinafter described, the off-street automobile parking spaces required in connection with the following buildings, structures or uses shall be located on the same lot or not more than 1,500 feet therefrom and said spaces shall be provided in the following ratio:

(1) For auditoriums and other similar places of assembly, one space for each 10 fixed seats or one space for each 100 square feet of floor area (exclusive of stage) where there are no fixed seats;

(2) For hospitals, philanthropic institutions, governmental office buildings and similar uses, at least one parking space for each 1000 square feet of floor area;

(3) For business, commercial or industrial buildings, having a gross floor area of 7500 square feet or more, at least one parking space for each 1000 square feet of floor area in said building, exclusive of floor areas used for automobile parking space, for basement storage, or for rooms housing mechanical equipment incidental to the operation of buildings; provided that, for a warehouse having a gross floor area of 10,000 square feet or more, in addition to one automobile parking space for each 1,000 square feet of floor area for the first 10,000 square feet, the automobile parking required for that portion of the warehouse in excess of the first 10,000 square feet of floor area shall be one space for each 5,000 square feet.

This exception shall apply only to property located within the area bounded by Pico Boulevard from the Harbor Freeway to Figueroa Street; Figueroa Street from Pico Boulevard to Venice Boulevard; Venice Boulevard from Figueroa Street to Main Street; Sixteenth Street from Main Street to Maple Avenue; Maple Avenue from Sixteenth Street to Olympic Boulevard; Olympic Boulevard from Maple Avenue to San Julian Street; San Julian Street from Olympic Boulevard to Ninth Street; Ninth Street from San Julian Street to Gladys Avenue; Olympic Boulevard from Gladys Avenue to Central Avenue; Central Avenue from Olympic Boulevard to Third Street; Third Street from Central Avenue to Alameda Street; Alameda Street from Third Street to Sunset Boulevard; Sunset Boulevard from Alameda Street to North Broadway; North Broadway from Sunset Boulevard to Temple Street; Temple Street from North Broadway to Hill Street; Hill Street from Temple Street to First Street; First Street from Hill Street to the Harbor Freeway; the Harbor Freeway from First Street to Pico Boulevard. *(Amended by Ord. No. 147,560, Eff. 9/1/75.)*

(Amended by Ord. No. 137,557, Eff. 12/26/68.)

(j) Combination of Uses.

(1) Where there is a combination of uses on a lot, the number of automobile parking spaces required shall be the sum of the requirements of the various uses, except as provided below.

(2) If there is office space auxiliary to a manufacturing, warehouse, or other industrial use on the same lot, the office use shall have its required parking spaces computed at the same ratio as the industrial use. However, if the office space exceeds 10 percent of the total gross floor area of a building, then the balance of the office space in excess of 10 percent shall have its required spaces computed at the ratio specified for office use.

(3) If an office building has a total gross floor area of at least 50,000 square feet, and if the retail space in the building does not exceed five percent of the total gross floor area, or 15,000 square feet, whichever is the smaller amount, then any retail space in the building shall have its required parking spaces computed at the same ratio as the office use.

(Amended by Ord. No. 165,773, Eff. 5/21/90.)

(k) Fractional Space. When the application of these regulations results in the requirement of a fractional automobile parking space, any fraction up to and including one-half may be disregarded and any fraction over one-half shall be construed as requiring one automobile parking space.

(l) **Use of Passageways.** In no event shall the passageways provided in compliance with the requirements of Subdivision 2 of Subsection C of this section be considered as also providing the automobile parking space or any portion of the parking space required hereby.

(m) **For Existing Buildings.** Off-street automobile parking space being maintained in connection with any existing main building or structure shall be maintained so long as said main building or structure remains, unless an equivalent substitute number of such spaces are provided and thereafter maintained conforming to the requirements of this paragraph; provided, however, that this regulation shall not require the maintenance of more automobile parking space than is required herein for a new building or structure identical to said existing building or structure, nor the maintenance of such space for any type of main building or structure other than those specified herein. Further, provided, however, that if a building or structure constructed after the effective date of this ordinance is of insufficient floor area at the time of its construction to be required to provide parking spaces by the requirements of this section, but is subsequently increased in floor area in such a manner that it would be subject to said requirements, parking spaces shall then be provided on the basis of the total resulting floor area.

Notwithstanding any other provisions of this section to the contrary and for any existing high-rise building cited under Los Angeles Municipal Code Section 91.8604 (f):

The Department of Building and Safety may reduce the number of required parking spaces by the number of spaces which the Department of Building and Safety determines are needed to install a water storage tank to enlarge an existing fire pump room, or to install a new fire pump room.

(Amended by Ord. No. 166,178, Eff. 9/30/90.)

(n) In no event shall automobile parking space which is provided for a building or use, as required by this section, be considered as providing any of the required space for another building or use.

(o) **Waiver.** All or a portion of the off-street automobile parking spaces required by this section may be waived when the lot involved is located within the boundaries of an assessment district for the acquisition of publicly owned automobile parking lots, or is located adjacent to land used or being acquired for publicly owned parking lots. The City Planning Commission, with the assistance of the Off-Street Parking Bureau, shall determine to what extent and on which lots the required parking may be waived, but in no event shall the total number of the waived parking spaces exceed the total number provided on the publicly owned parking lots. *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

(p) **Exception for Central City Area.** Notwithstanding any other provisions of this section to the contrary, within that area hereinafter described, the off-street automobile parking spaces required in connection with the following residential uses shall be located on the same lot and said spaces shall be provided in the following ratio:

(1) One space for each dwelling unit, except where there are more than six dwelling units of more than three habitable rooms per unit on any lot, the ratio of parking spaces required for all of such units shall be at least one and one-quarter parking spaces for each dwelling unit of more than three habitable rooms.

(2) One space for each two individual guest rooms or suites of rooms for the first 20, one additional parking space for each four guest rooms or suites of rooms in excess of 20 but not exceeding 40, and one additional parking space for each six guest rooms or suites of rooms in excess of 40.

With regard to any development for which architectural and structural plans sufficient for a complete plan check were accepted by the Department of Building and Safety and for which a complete and full plan check fee was paid after May 11, 1988, and before November 22, 1988:

This exception shall apply to property located within the area bounded by Western Avenue from Melrose Avenue to Washington Boulevard, Washington Boulevard to Vermont Avenue, Vermont Avenue from Washington Boulevard to the Santa Monica Freeway, the Santa Monica Freeway from Vermont Avenue to Hoover Street, Hoover Street from the Santa Monica Freeway to Union Avenue, Union Avenue from Hoover Street to Washington Boulevard, Washington Boulevard from Union Avenue to the Harbor Freeway, the Harbor Freeway from Washington Boulevard to Figueroa Street, Figueroa Street from the Harbor Freeway to Jefferson Boulevard, Jefferson Boulevard from Figueroa Street to Broadway, Broadway from Jefferson Boulevard to Martin Luther King, Jr. Boulevard, Martin Luther King, Jr. Boulevard from Broadway to Central Avenue, Central Avenue from Martin Luther King, Jr. Boulevard to 41st Street, 41st Street from Central Avenue to the City boundary at Alameda Street, City boundary north and east to Soto Street, Soto Street from the City boundary to Valley Boulevard, Valley Boulevard from Soto Street to North Main Street, North Main Street from Valley Boulevard to the Golden State Freeway, the Golden State Freeway from North Main Street to the Pasadena Freeway, the Pasadena Freeway from the Golden State Freeway to Stadium Way, Stadium Way from the Pasadena Freeway to Elysian Park Avenue, Elysian Park Avenue from Stadium Way to Lilac Terrace, Lilac Terrace from Stadium Way to Sunset Boulevard, Sunset Boulevard from Lilac Terrace to Alvarado Street, Alvarado Street from Sunset Boulevard to Kent Street, Kent Street from Alvarado Street to Coronado Street, Coronado Street from Kent Street to Temple Street, Temple Street from Coronado Street to Coronado Street, Coronado Street from Temple Street to Third Street, Third Street from Coronado Street to Hoover Street, Hoover Street from Third Street to Beverly Boulevard, Beverly Boulevard from Hoover Street to First Street, First Street from Beverly Boulevard to Vermont Avenue, Vermont Avenue from First Street to Wilshire Boulevard, Wilshire Boulevard from Vermont Avenue to Western Avenue.

With regard to any development for which architectural and structural plans sufficient for complete plan check were not accepted by the Department of Building and Safety and for which a complete and full plan check fee was paid on or after November 22, 1988:

This exception shall apply to property located within the area bounded by beginning at the Los Angeles River and Alhambra Avenue; thence southwesterly along Alhambra Avenue to Main Street; thence southwesterly along Main Street to Ord Street; thence westerly along Ord Street to North Broadway; thence southerly along North Broadway to Sunset Boulevard; thence northwesterly along Sunset Boulevard to Pasadena Freeway; thence southwesterly along the Pasadena Freeway and the Harbor Freeway to Fourth Street; thence northwesterly along Fourth Street to Third Street; thence northwesterly along Third Street to Bixel Street; thence southwesterly along Bixel Street to Fifth Street; thence northwesterly along Fifth Street to Lucas Avenue; thence southwesterly along Lucas Avenue to Sixth Street; thence northwesterly along Sixth Street to Valencia Street; thence southwesterly along Valencia Street to Seventh Street; thence southeasterly along Seventh Street to Garland Avenue; thence southwesterly along Garland Avenue to Ninth Street; thence southeasterly along Ninth Street to the Harbor Freeway; thence southwesterly and southerly along the Harbor Freeway to Figueroa Street; thence southerly along Figueroa Street from the Harbor Freeway to Jefferson Boulevard; thence easterly along Jefferson Boulevard from Figueroa Street to Broadway; thence southerly along Broadway from Jefferson Boulevard to Martin Luther King, Jr. Boulevard; thence easterly along Martin Luther King, Jr. Boulevard from Broadway to Central Avenue; thence southerly along Central Avenue from Martin Luther King, Jr. Boulevard to 41st Street; thence easterly along 41st Street from Central Avenue to the City Boundary at Alameda Street; thence northerly along City boundary to 24th Street; thence easterly along City boundary to the Los Angeles River; thence northerly to the westbound transition connecting the Golden State and the Santa Monica Freeways; thence northeasterly along said transition to 7th Street; thence westerly along 7th Street to Anderson Street; thence northerly along Anderson Street to Sunrise Street; thence easterly along Sunrise Street to Clarence Street; thence northerly along Clarence Street to Jesse Street; thence westerly along Jesse Street to Anderson Street; thence northerly along Anderson Street to Whittier Boulevard; thence easterly along Whittier Boulevard to Clarence Street; thence northerly along Clarence Street to 6th Street; thence easterly along 6th Street and its easterly prolongation to the southerly prolongation of Gless Street; thence northerly along said southerly prolongation of Gless Street to the alley southerly of 4th Street; thence westerly along the alley southerly of 4th Street to Clarence Street; thence northerly along Clarence Street to 1st Street; thence westerly along First Street to the Los Angeles River; thence northeasterly along the Los Angeles River to the Santa Ana Freeway; thence westerly and northwesterly along the Santa Ana Freeway to Spring Street; thence northeasterly along Spring Street to Macy Street; thence easterly along Macy Street to Alameda Street; thence northeasterly along Alameda Street to the westerly prolongation of the southerly line of former Bauchet Street as described in deed recorded Book 37112, page 408, of Official Records, in the office of said County Recorder; thence easterly along said southerly line of said former Bauchet Street and continuing along said southerly line in its various courses to its intersection with in the southeasterly line of former Date Street, as described in said deed recorded in Book 37112, page 408 of Official Records; thence northeasterly along said southeasterly line of former Date Street and continuing along its northeasterly prolongation to Vignes Street;

thence southeasterly along Vignes Street to Bauchet Street; thence westerly along Bauchet Street to Avila Street; thence southerly along Avila Street to Macy Street; thence easterly along Macy Street to Los Angeles River; thence northerly and northeasterly along the Los Angeles River to Alhambra Avenue.

(Amended by Ord. No. 164,394, Eff. 3/13/89.)

(q) **Exception-- Dwelling on Narrow Lot.** Where only one single-family dwelling is located on a nonconforming lot 40 feet or less in width and not abutting an alley, only one automobile parking space need be provided. This exception shall not apply to any lot in the A1, A2, RA, RE, RS, R1 or RD Zones which fronts on a Substandard Hillside Limited Street. *(Added by Ord. No. 129,334, Eff. 2/28/65.) (Amended by Ord. No. 168,159, Eff. 9/14/92.)*

(r) **Exception for Teen Posts.** Notwithstanding any other provisions of this section to the contrary, no off-street automobile parking spaces shall be required in connection with a building or structure, or portion thereof, used primarily for the operation of a "Teen-Post" administered by Teen Post, Incorporated, a delegate agency of the Greater Los Angeles Community Action Agency, or its successors. This exception shall be effective to and including December 31, 1974, only. Thereafter, the off-street automobile parking requirements of the Comprehensive Zoning Plan of the City of Los Angeles shall apply fully to such a use, and any certificate of occupancy issued for such a use during the time this paragraph is in effect not having the required number of off-street automobile parking spaces shall automatically be cancelled and the building shall no longer be so occupied or used unless and until the required automobile parking spaces are provided and a new certificate is issued. *(Amended by Ord. No. 145,487, Eff. 2/24/74.)*

(s) **Parking Requirements for Air Space Lots.** Notwithstanding any provision of this section to the contrary, in the case of developments containing one or more air space lots, required automobile parking spaces may be located anywhere on the lot which has had the spaces above or below it divided by such air space lot or lots. All other parking requirements of this section shall apply to developments containing one or more air space lots. *(Added by Ord. No. 156,681, Eff. 6/21/82.)*

(t) **Exception for Rental Units Resulting from Conversion of One-Family Dwellings.** Notwithstanding any other provision of this subdivision to the contrary, in the RD, R2, R3, R4 or R5 Zones, only one automobile parking space is required for each dwelling unit which results from the conversion of an existing one-family dwelling, by the interior structural alteration thereof or by the addition of not more than 250 square feet of floor area thereto, into two or more dwelling units and all such newly created dwelling units are rental units. *(Added by Ord. No. 157,220, Eff. 11/30/82.)*

(u) **Senior Citizen/Handicapped Housing Developments.** The number of parking spaces required for a senior citizen housing development or a housing development occupied by handicapped persons, located on a lot, may be reduced to not less than 40 percent of the number otherwise required by this subdivision if all of the following requirements are met:

(1) Each dwelling unit in the development shall be occupied by at least one person who is handicapped or 62 years of age or older, except for management or maintenance personnel who are required to live on the premises. A handicapped person is a person who has a physical or mental impairment which (a) seriously restricts that person from operating a motor vehicle, (b) is expected to be of long-continued and indefinite duration, (c) substantially impedes his or her ability to live independently, and (d) is of such a nature that such ability could be improved by more suitable housing conditions.

(2) Sufficient open space shall be provided to accommodate the additional parking spaces otherwise required for the development by this subdivision and Subdivision 5 of this subsection. Such open space shall be in addition to required yards, setbacks, driveways, passageways, private streets and parking, loading and service areas. Such open space shall be sufficient to meet either of the following requirements:

(i) Sufficient open space shall be provided to permit surface parking meeting the requirements of this subdivision and Subdivision 5 of this subsection. Such open space shall be developed only with landscaping or with recreational or similar facilities which would not prevent conversion of such open space to surface parking; or

(ii) Sufficient open space shall be provided to permit the future construction of a parking structure which would provide the additional number of parking spaces necessary to meet the requirements of this subdivision and Subdivision 5 of this subsection. Such open space shall be developed only with landscaping or with recreational or similar facilities which would not prevent use of such open space to erect a parking structure. There shall also be provided at least 10 square feet of indoor recreation space, and at least 50 square feet of usable open space for each dwelling unit in the development, such space to be available and accessible to all residents of the development.

Such open space may be located on the ground, on terraces or on rooftops, shall be landscaped or developed for active or, passive recreation and may include roofed recreation areas, swimming pools, or, where not otherwise prohibited, unenclosed porches and summerhouses enclosed on not more than one side. Such open space shall not include land used for required front or side yards, private streets, driveways, passageways or for parking, loading or service areas, but may include walkways.

(3) Prior to the issuance of a building permit for construction of such development, the owner shall execute and record in the Office of the County Recorder of Los Angeles County, as a covenant running with the land for the benefit of the City of Los Angeles, an agreement that, if the Department determines that development ceases to qualify under Subparagraph (1) above, the owner will at the written request of the Department of Building and Safety develop the additional parking spaces as set forth in Subparagraph (2) above. *(Amended by Ord. No. 161,593, Eff. 9/20/86.)*

(v) Exception for Pre-1934 Public Branch Libraries.

Notwithstanding any other provision of this Code to the contrary, no off-street automobile parking spaces shall be required in connection with a building or structure, or portion thereof, or subsequent addition thereto, which is used primarily for the operation of a City of Los Angeles public branch library if built prior to 1934 and administered by the City Board of Library Commissioners. *(Added by Ord. No. 159,920, Eff. 7/7/85.)*

(w) Shelter for the Homeless.

The number of automobile parking spaces required for a "shelter for the homeless" as defined in Section 12.03 of this Code, located within 1,000 feet of a public transit stop, may be reduced to 25 percent of the number otherwise required by Paragraphs (a) through (v), inclusive, of this Subdivision 4, but in no event less than two spaces for any such shelter. The number of automobile parking spaces required for a "shelter for the homeless" as defined in Section 12.03 of this Code, located 1,000 feet or more from a public transit stop, may be reduced to 25 percent of the number otherwise required by Paragraphs (a) through (v), inclusive, of this Subdivision 4, plus two spaces. *(Added by Ord. No. 161,427, Eff. 8/2/86.)*

CITY OF LOS ANGELES
BOARD OF BUILDING AND SAFETY COMMISSIONERS
RESOLUTION NO. 6212
SUBJECT: Exemption of Mechanical Equipment Rooms from Floor Area Computations.

WHEREAS, the Department of Building and Safety is required by Section 90 of the City Charter to enforce the zoning ordinance, and

WHEREAS, the trend of commercial building is toward the use of highrise structures, and

WHEREAS, it is more desirable and economical to place the mechanical equipment incidental to the operation of these buildings on intermediate floors rather than in basements or on the roof in penthouses, neither of which are included as part of the building area. Now, Therefore, Be It

RESOLVED, that in computing the gross floor area of the building for enforcement of Sections 12.21 A-4(c), 12.21 A 4(i)3, and 12.21.1 A 5, rooms housing mechanical equipment incidental to the operation of buildings shall be considered as the same type of use as basements or penthouses and not included in the gross floor area of the building.

(x) Exception for Council-Approved Agreements and Historic/Cultural Buildings, and Specified Exception Areas.

(1) For any project for which an Owner Participation Agreement or Developer Disposition Agreement has been signed between the owner or developer of a project and the Community Redevelopment Agency and approved by Council before February 28, 1989, the parking required shall be either the number of parking spaces described in the subject agreement, or the parking required by the Los Angeles Municipal Code as of February 29, 1989, whichever is greater.

(2) Notwithstanding any provisions of the Los Angeles Municipal Code to the contrary, for any structure designated on the National Register of Historic Places or State or City list of historical or cultural monuments, no additional parking spaces need be provided in connection with a change of use. Nevertheless, a decision-making body as part of a discretionary approval related to a change of use may impose conditions requiring additional parking requirements in connection with the change of use. Existing parking for such buildings shall be maintained if the proposed use requires the same or more parking. If the floor area of such building is increased, then parking shall be provided for the increased floor area as set forth in Section 12.21 A (4). The parking requirements for existing buildings set forth in Section 12.21 A (4) m shall still apply to an historic building and any change of use of that building. *(Amended by Ord. No. 170,056, Eff. 11/12/94.)*

(3) Except for the Downtown Business District parking area described in Section 12.21 A 4 (i) in the following described areas there need only be two parking spaces for every one thousand square feet of combined gross floor area of commercial office, business, retail, restaurant, bar and related uses, trade schools, or research and development buildings on any lot:

1. Chinatown Redevelopment Project Area, delineated by Ordinance No. 153,385;
2. Hollywood Redevelopment Project Area, delineated by Ordinance No. 161,202;
3. Central City West Interim Control Ordinance area, delineated by Ordinance No. 163,094;
4. Central Business District Redevelopment Project Areas delineated by Ordinance Nos. 140,069; 113,231; 135,900; 140,662; 147,480;
5. North Hollywood Redevelopment Project Area, delineated by Ordinance No. 152,030;
6. Eastside Employment and Economic Incentive Program Area;
7. Greater Watts Employment and Economic Incentive Program Area;
8. Central City Enterprise Zone;
9. Pacoima Enterprise Zone;
10. Wilmington Employment and Economic Incentive Program Area.

(Added by Ord. No. 165,773, Eff. 5/21/90.)



(y) City Planning Commission Authority for Reduced On-Site Parking with Remote Off-Site Parking or Transportation Alternatives.

The City Planning Commission may, upon application, authorize reduced on-site parking and remote off-site parking. The City Planning Commission authorization may only be approved in connection with a City Planning Commission approval of an application or appeal otherwise subject to its jurisdiction including the following: the City Planning Commission action on an application for a zone change, height district change, supplemental use district, and conditional use pursuant to Section 12.24 U; the City Planning Commission action on a tentative tract map appeal, a vesting tentative tract map appeal, a development agreement; and the City Planning Commission action on a request for a density bonus greater than the minimum 25 percent required by California Government Code Section 65915, exception from a specific plan, or a project permit pursuant to a moratorium ordinance or interim control ordinance. In exercising this authority, the City Planning Commission shall act on an application in the same manner and subject to the same limitations as applicable to the Zoning Administrator, under Section 12.27 X. However, the procedures for notice, hearing, time limits, appeals and Council review shall be the same as those applicable to the underlying discretionary approval. *(Amended by Ord. No. 173,492, Eff. 10/10/00.)*

5. **Design of Parking Facilities.** Every parking area and garage providing required or non-required parking stalls, other than those parking areas or garages lawfully in existence on February 9, 1972, shall be designed, improved and maintained in accordance with the following regulations, provided, however, that any parking stall in which the normal turning pattern is obstructed shall be designed in accordance with standards established by the Superintendent of Building. *(Amended by Ord. No. 142,418, Eff. 10/16/71.)*

(a) Parking Stall Dimensions.

(1) **Width.** Every parking stall provided for dwelling units shall be at least 8'8" wide, every compact stall shall be at least 7'6" wide and every other parking stall shall be at least 8'4" inches wide, except that:

(i) Every parallel parking stall shall be at least 8 feet wide;

(ii) Every parking stall, other than those provided for a one-family or two-family dwelling, which is adjoined on either side of its longer dimension by a fence, wall, partition, column, post or similar obstruction, and said obstruction is located less than 14 feet from the access aisle measured along the length of the stall, shall have its minimum width increased by at least 10 inches on the side of the obstruction.

(2) **Length.** Every compact parking stall shall be at least 15 feet long, every parallel parking stall shall be at least 26 feet long, and every other parking stall shall be at least 18 feet long.

(Amended by Ord. No. 142,306, Eff. 9/13/71, Oper. 2/9/72.)

(b) **Parking Bay Dimensions.** The minimum width of each parking bay shall be determined by the stall width and parking angle in accordance with Chart Nos. 1, 2, 3, and 4 of this section. (See Appendix for charts.)

Where parking stalls of two bays interlock the parking bays may overlap.

(Amended by Ord. No. 142,306, Eff. 9/13/71, Oper. 2/9/72.)

(c) **Compact Stalls.** In each parking area or garage devoted to parking for dwelling uses, all parking stalls in excess of one parking stall per dwelling unit may be designed as compact parking stalls to accommodate compact cars.

In each parking area or garage containing 10 or more parking stalls for other than dwelling uses, not more than 40 percent of the required stalls may be designed as compact stalls to accommodate compact cars. Such restriction shall not apply to parking stalls in excess of the required number of required stall. All other provisions of this section shall apply to each parking stall.

The minimum bay widths required by Paragraph (b) of this subdivision may be reduced for bays or portions of bays containing compact stalls.

Each stall designed to accommodate a compact car shall be clearly marked as a compact stall. Each parking area or garage containing 10 or more parking stalls of which more than 20 percent are in compact stalls shall have a sign posted at each entrance or other appropriate locations which shall contain the following information: (i) compact cars are to be parked in compact stalls when available, (ii) standard-size cars shall not be parked in "compact only" stalls, (iii) problems concerning parking should be reported to the property owner or a designated representative, and (iv) the phone number of the property owner or a designated representative.

The sign requirements of this section shall not apply to any parking area or garage that has been granted authority by the Office of Zoning Administration to increase compact parking prior to May 23, 1981 so long as such parking area or garage conforms to the terms and conditions of such grant.

(Amended by Ord. No. 156,979, Eff. 9/25/82.)

(d) **Attended Commercial Parking Lots.** A public parking area containing no required parking stalls and providing attendants to park the vehicles at all times when said area is open for use shall be designed in compliance with Paragraphs (e), (f), (g), (i) and (k) of this subdivision, but shall not be subject to the requirements set forth in any other paragraph of this subdivision. *(Amended by Ord. No. 142,306, Eff. 9/13/72, Oper. 2/9/72.)*

(e) **Driveway Location.** Access driveways to every parking area and garage shall be designed in accordance with Sections 62.105.1, 62.105.2, 62.105.3 and 62.105.4 of this Code, and in a manner to provide the minimum practical interference with the use of adjacent property and with pedestrian or vehicular traffic.

Such driveways shall be located in accordance with a plan approved by the Department of Building and Safety in the following instances:

- (1) On a lot in a P (including any combination with an A or R Zone) or PB Zone.
- (2) For every parking area and garage having a capacity of more than 25 automobiles or trucks.

The Department of Building and Safety shall disapprove any plan which it determines fails to meet the standards established by this paragraph.

(f) **Driveway Width.** Every access driveway shall be at least nine feet in width in the A, RE, RS, R1, RU, RZ, R2, RMP, and RW Zones, and 10 feet in width in the RD, R3, R4, R5, P, PB, C and M Zones; provided, however, every access driveway serving a parking area or garage having a capacity of more than 25 automobiles or trucks shall be at least 19 feet in width, or in lieu thereof there shall be two access driveways, each of which is at least 10 feet in width; provided further, however, that an access driveway serving an apartment house erected in the R2 Zone shall be at least 10 feet in width. *(Amended by Ord. No. 164,904, Eff. 7/7/89.)*

(g) **Driveway and Ramp Slopes.** The slope of every driveway or ramp shall not exceed 20 percent; except that where an existing driveway being used for access is required to be modified because of a public improvement project, such grade may exceed 20 percent, provided the design is approved by the City Engineer.

Transition slopes in driveways and ramps shall be designed to the standards established by the Superintendent of Building and the City Engineer.

(h) **Tandem Parking.** Each required parking stall within a parking area or garage shall be individually and easily accessible, except that automobiles may be parking in tandem in the following instances:

(1) In a public garage or public parking area providing attendants to park vehicles at all times said garage or area is open for use.

(2) In a private garage or private parking area serving an apartment house, apartment hotel, hotel, two-family dwelling in an RW Zone, two-family dwelling in an RD, R3, R4 or R5 Zone on a lot with a frontage of less than 40 feet, or multiple or group dwelling, where said tandem parking is not more than two cars in depth, and provided that at least one parking stall per dwelling unit and all of the parking stalls required for any guest rooms are individually and easily accessible. *(Amended by Ord. No. 145,827, Eff. 5/25/74.)*

(3) In a private garage or private parking area serving a dwelling in the RU and RZ Zones, not including any parking areas for recreational vehicles or guests. *(Amended by Ord. No. 161,716, Eff. 12/6/86.)*

(i) **Parking Stall Location.** Each automobile parking stall shall be so located that:

(1) No automobile is required to back onto any public street or sidewalk to leave the parking stall, parking bay or driveway, except where such parking stalls, parking bays or driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway. *(Amended by Ord. No. 151,608, Eff. 11/27/78.)*

(2) Parking maneuvers can be accomplished without driving onto that portion of a required front yard where driveways are prohibited. Car stops or other barriers shall be provided in accordance with Section 12.21 A 6.

(Amended by Ord. No. 144,082, Eff. 12/11/72.)

(j) **Internal Circulation.** All portions of a public parking area or public garage shall be accessible to all other portions thereof without requiring the use of any public street, unless the Department of Transportation determines that such use is not detrimental to the flow of traffic. *(Amended by Ord. No. 152,425, Eff. 6/29/79.)*

(k) **Lighting.** All lights used to illuminate a parking area shall be designed, located and arranged so as to reflect the light away from any street and any adjacent premises.

All parking areas and garages provided for three or more dwelling units or guest rooms shall have an average surface illumination of not less than 0.2 foot-candles.

(l) **Striping.** All parking stalls shall be striped substantially in accordance with the illustrations set forth in Chart No. 5 of this section. *(Amended by Ord. No. 142,306, Eff. 2/9/72.) (See Appendix for chart.)*

6. Automobile Parking and Sales Area--Improvement. Every public or private parking area or automobile, manufactured home or trailer sales area other than those lawfully in existence on August 21, 1969 shall be arranged, improved and maintained in accordance with the following regulations: *(Added by Ord. No. 161,716, Eff. 12/6/86.)*

(a) **Yard Areas.** Where a public parking area is the principal use of land in the A or R Zones, or in any combination of an A or R Zone with a P Zone, the public parking area shall not extend into the portion of the lot within 10 feet of the front lot line.

Where parking is an accessory use of land in the A and R Zones, the parking area may occupy the remainder of the lot, except for the required A or R Zone front yard, and a five foot side yard along the side street lot line of a corner lot.

(Amended by Ord. No. 152,949, Eff. 9/21/79.)

(b) *(Repealed by Ord. No. 142,306, Eff. 2/9/72.)*

(c) **Paving and Car Stops.** Every parking area, every parking garage required by the provisions of this article, every automobile storage area (except those areas utilized for the temporary storage of automobiles for not to exceed six months in any calendar year), and every automobile, manufactured home or trailer sales area, including access driveways to those areas, shall be paved with hard, durable asphaltic paving which has been mixed at a plant and is at least two inches thick after compaction, or with portland cement paving at least three inches thick or any material deemed equivalent by the Department of Building and Safety. All such areas shall have appropriate bumper guards, wheel stops, steel posts, walls, curbs, suitable landscaping or other installations adequate to prevent vehicles from parking or maneuvering on those portions of a lot upon which a driveway or parking area is prohibited, or into a public right of way, or where those portions of a lot are needed to prevent encroachment on walkways or adjoining properties. *(Amended by Ord. No. 171,530, Eff. 4/4/97.)*

(d) **Walls Required.** Every public or private parking area or automobile, manufactured home or trailer sales area shall be completely enclosed with a wall except that no wall shall be required: *(Amended by Ord. No. 161,716, Eff. 12/6/86.)*

(1) across necessary driveways;

(2) on a lot in an M2 or M3 Zone;

(3) along a lot line abutting an alley, a public parking area, or a P (not including the A or R Zones), PB, C or M Zone;

(4) along any portion of a lot line, including the front lot line, where no parking area or access driveway is located within 15 feet of said line, when adequate safeguards are provided to prevent vehicles from occupying said 15 foot space and said space is landscaped;

(5) along any lot line of an automobile sales area that abuts a street; provided, however, such sales area incorporates landscaped area or areas in the amount of at least three percent of said sales area.

(e) **Wall Height.** The wall required by Paragraph (d) hereof, or constructed in compliance with paragraphs (g) and (h) hereof shall be not less than 5'9" in height, except under the following circumstances:

(1) The wall shall be not less than four feet in height on any lot where the surface of the parking area is raised 1'9" or more above the natural ground, said wall to be measured from the finished grade of the parking area. Provided, however, that where the wall requirements here specified would exceed those specified in Section 12.22 C 20 (f), the provisions of Section 12.22 C 20 (f) shall control.

(2) The wall shall be not less than three feet in height under the following circumstances:

(ii-a) On that portion of a lot in an A or R Zone which extends into the required front yard;

(ii-b) On that portion of a lot in a P (not including the A or R Zones), PB, C or M1 Zone within 15 feet of the front lot line;

- (ii-c) On that portion of a corner lot within five feet of the side street lot line;
- (ii-d) Along any lot line abutting a street.

(Amended by Ord. No. 147,913, Eff. 1/24/76.)

(f) **Wall Construction and Maintenance.** Walls required by this subdivision or constructed in compliance with Paragraphs (g) or (h) hereof, when located along the lot lines of parking areas and said lot lines abut a street, shall be of concrete or masonry construction, but need not be solid walls, provided that any open areas in said walls shall be designed for architectural effect. Walls, or portions of walls, abutting a street and constructed above the minimum three foot height required by this subdivision shall be designed to permit visibility into the parking area from the street and shall be constructed of wrought iron, vista-type masonry or other materials as approved by the Department of Building and Safety.

All other walls required by this subdivision shall be without openings, and shall be of concrete or masonry provided, however, that other materials may be used in the construction of the wall enclosing a private parking area containing not more than four parking spaces. All concrete or masonry walls shall have a minimum nominal thickness of six inches unless designed to withstand lateral force and constructed pursuant to plans approved by the Department of Building and Safety.

All walls shall be maintained in good condition.

(Amended by Ord. No. 158,894, Eff. 6/8/84.)

(g) **Improvement.** Where a lot located in all zones but the A, R or A or R in combination with a P Zone is used for a public parking area for more than 20 vehicles and is offering as its prime service the commercial parking of motor vehicles for the public at large, at least two percent of the parking area shall be devoted to improvement as follows:

(1) One-half of the required two percent improvement shall be credited for street trees planted in accordance with plans approved by the Street Tree Division of the Bureau of Street Maintenance. Approval shall be granted for any plan which complies with the master plan for street trees. Existing street trees shall be considered in satisfying this provision;

(2) One-half of the required two percent improvement shall be credited for walls, provided walls are constructed along all lot lines abutting a street. Existing walls shall be credited;

(3) Up to and including one-half of the two percent improvement shall be credited for landscaped setback areas, provided that the total of such setback area is equal to that percent of the total parking area being credited;

(4) Up to and including one-half of the two percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to that percent of the total parking area being credited;

(5) On those lots having no street frontage two percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to the percent of the total parking area credited.

(h) **Improvement.** Where a lot is located in either an A, R, A or R in combination with a P Zone, or is serving as a parking area for the primary use of a specific building or buildings, and said lot is used for a public or private parking area for more than 20 vehicles, at least four percent of the parking area shall be devoted to improvements as follows:

(1) One-fourth of the required four percent improvement shall be credited for street trees planted in accordance with plans approved by the Street Tree Division. Approval shall be granted for any plan which complies with the master plan for street trees. Existing street trees shall be considered in satisfying this provision;

(2) One-fourth of the required four percent improvement shall be credited for walls, provided that walls are constructed along all lot lines abutting a street. Existing walls shall be credited;

(3) Up to and including three-fourths of the four percent improvement shall be credited for landscaped setback areas, provided that the total of said setback area is equal to the percent of the total parking area credited;

(4) Up to and including three-fourths of the four percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to that percent of the total parking area being credited;

(5) On those lots having no street frontage, four percent improvement shall be credited for interior landscaping provided the total of such landscaped area is equal to that percent of the total parking area being credited.

(i) **Landscaping.** Those portions of a lot developed as a public parking area on which automobile parking is prohibited by Paragraph (a) above, or otherwise not improved, shall be fully landscaped with lawn, trees, shrubs or suitable groundcover, and no portion except the access driveways shall be paved.

Where a wall is not required along any lot line of an automobile sales area abutting a street, said sales area shall incorporate a landscaped area or areas in the amount of at least three percent of said sales areas.

All landscaping required by the provisions of this subsection or provided in compliance with Paragraphs (g) or (h) hereof shall be installed in accordance with a plan approved by the City Planning Department. Approval shall be granted for any wherein the design and materials proposed therein are reasonably appropriate for the use and appearance of the parking area. Such landscaped areas shall be equipped with a water sprinkler system and shall be maintained free of weeds and debris.

(Amended by Ord. No. 152,467, Eff. 7/13/79.)

(j) **Lighting.** All lights used to illuminate an automobile, manufactured home or trailer sales area shall be designed, located and arranged so as to reflect the light away from any street and any adjacent premises. Parking areas and garages shall conform to the lighting requirements of Section 12.21 A 5 (k). *(Amended by Ord. No. 161,716, Eff. 12/6/86.)*

(k) **Intersection Obstruction.** The provisions of this subsection shall not be construed as permitting any obstruction at a street intersection contrary to the provisions of Section 62.200 of this Code. *(Amended by Ord. No. 138,859, Eff. 8/21/69.)*

7. **No nameplate, sign or advertising matter** of any kind shall be placed or maintained on any lot in an A or R Zone except in accordance with the following regulations:

(a) All nameplates, signs and advertising matter shall pertain to a permitted use (except that no signs shall be permitted to identify a home occupation) or indicate the name of the occupant and shall be located on the same lot with such use; *(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)*

(b) No nameplate, sign or advertising matter which is attached to a building may project above the roof ridge or parapet wall (whichever is the higher) of the building;

(c) No illuminated nameplate, identification sign or advertising matter, which is permitted by this subdivision, may be of the flashing, moving or animated type;

(d) There may be only one unlighted nameplate for each dwelling unit indicating the name of the occupant, (except that no signs shall be permitted to identify a home occupation) and no nameplate may exceed three square feet in area in an A Zone, nor exceed one and one-half square feet in area in an R Zone; *(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)*

(e) There may be one or more unlighted signs appertaining to the sale of farm products raised or produced on the premises, but the total area of all such signs shall not exceed 20 square feet on any lot in an A Zone, nor exceed 12 square feet on any lot in an R Zone;

(f) There may be one or more unlighted signs appertaining to the prospective rental or sale of the property, but the total area of all such signs shall not exceed 20 square feet on any lot in an A Zone, nor exceed 12 square feet on any lot in an R Zone;

(g) There may be one identification sign for each farm, ranch, estate or building other than a dwelling in an A Zone, but such identification sign may not exceed 20 square feet in area;

(h) There may be one or more signs identifying the buildings or permitted use (except that no signs shall be permitted to identify a home occupation) on any lot in any R Zone, but no one sign may have a surface area which exceeds 20 square feet, nor shall the total surface area of all such signs exceed 30 square feet. *(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)*

(i) There may be one church bulletin board, not exceeding 18 square feet in area, on any lot in any A or R Zone;

(j) There may be one or more signs, warning against trespassing, on any lot in an A Zone, but no one sign shall exceed three square feet in area.

(k) Temporary Subdivision Directional Signs. Notwithstanding any other provision of this article, a Zoning Administrator may approve the use of any property in an A or R Zone for the erection and maintenance of temporary unlighted subdivision directional signs which are neither reflective nor fluorescent, if he finds that the location of such signs is proper in relation to uses of adjacent property and that such use will not be materially detrimental to the property of other persons located in that vicinity. Such approval shall be subject to the following regulations:

(1) An application shall be filed in the office of Zoning Administration upon a form and accompanied by such data and information as has been prescribed by said office. Each such application shall be consented to and acknowledged by the owner or lessee of each parcel of property upon which a sign is to be erected. Only one application need be filed for all temporary unlighted subdivision directional signs relating to a single subdivision separately numbered and recorded by the Los Angeles County Recorder. The manner of installation and conditions regulating number, size and type of signs shall be determined and approved by a Zoning Administrator. To the extent possible, he shall make available a list or explanation of those installation features and conditions which are usually required.

(2) An approval to erect and maintain signs pursuant to this paragraph shall be valid for one year. If, after one year, three-fourths of the dwelling units or lots have not been sold or leased for the first time, approval for retaining the directional signs for not more than an additional one-year period may be granted by a Zoning Administrator.

(3) No sign erected pursuant to this paragraph shall exceed 12 square feet in area.

(4) One temporary unlighted subdivision directional sign may be approved for location adjacent to each street which constitutes a separate and distinct direction on the route from a major or secondary highway to a subdivision site. Where there are two or more major or secondary highways from which there are routes to a subdivision site signs may be approved only along two routes.

(5) The erection and maintenance of temporary unlighted subdivision directional signs may be approved only on vacant property; however, if a Zoning Administrator determines that vacant property is not available in locations where provisions for travel directions are essential, he may approve developed property for the location of signs.

(6) Signs may not be located within the public right-of-way of any highway, street or alley, or on any other public right-of-way.

(7) All signs permitted by this paragraph shall be removed within five days after the expiration of the authorized time period. Each application shall contain a statement signed by the applicant, the owner of the signs, and the owner or lessee of the property upon which the signs are to be placed, agreeing that if such signs are not removed as required above, they may be confiscated, removed and destroyed by the City without further notice. Prior to the erection of any signs authorized pursuant to any single application, the applicant shall deposit \$100 with the Department of Building and Safety for the purposes of defraying any expense incurred by the City in the removal of the signs. Said money shall be refunded on the expiration of the prescribed time period if all of said signs have been removed by the applicant, the owner of the signs, or the owner and the lessee of the property where such signs are placed.

(8) Any sign erected pursuant to these regulations may be used only for the purpose of providing necessary travel direction to a subdivision development located in the City of Los Angeles, and must include the name of the owner, the City Planning Department file number, and the expiration date of the approval period. The sign may contain the name of the land development project to which it pertains, including a characteristic trademark or other identifying insignia. The content of each sign shall be subject to approval by a Zoning Administrator. *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

(9) The approval of temporary subdivision directional signs pursuant to the regulations contained herein does not release the applicant from the responsibilities of complying with any provisions of the Los Angeles Municipal Code pertaining to building permit requirements or any other provisions of said Code regulating signs.

(10) **Appeals.** Appeals from a determination by a Zoning Administrator may be taken to the Area Planning Commission in the manner prescribed in Section 12.24 I. *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

8. Dismantling, Repairing and Storing of Vehicles--Where Prohibited:

(a) No person shall dismantle, repair, or otherwise perform any work upon any vehicle, machine, motor, appliance or other similar device, other than to effect minor emergency repairs to a motor vehicle, on any property in the A or R Zones unless such activity is incidental to a permitted or conditionally permitted use and is conducted within a building or within an area wholly enclosed from view by a wall or fence conforming to the requirements of this Code.

(b) No vehicle (except those upon which minor emergency repairs are presently being effected), machine, motor appliance or other similar device from which any part has been removed, or which is inoperable for any reason, shall be stored, maintained, or kept on any property in the A or R Zones as an activity incidental to a permitted or a conditionally permitted use except within a building or within an area which is wholly enclosed from view by a wall or fence conforming to the requirements of this Code.

(Added by Ord. No. 137,210, Eff. 10/12/68.)

9. **Fences and Walls.** Wherever fences or walls are required by any of the provisions of this chapter or by a variance, conditional use, supplemental use district or other authorized Planning Department determination said fences or walls shall be maintained in good repair and shall be kept vertical, uniform and structurally sound, and all repairs shall blend in with said fence or wall and be compatible therewith in color and material. Fences constructed of wood, metal, Masonite, or similar materials shall be uniformly painted or stained or otherwise treated or sealed to prevent weathering or deterioration. *(Amended by Ord. No. 146,030, Eff. 7/11/74.)*

10. **Alcoholic Beverages.** Notwithstanding any other provisions of this Code to the contrary, no building, structure or land shall be used for sale or dispensing for consideration of any alcoholic beverage, including beer and wine, for consumption on the premises except upon premises approved for that use in accordance with the provisions of Section 12.24. The provisions of this subdivision shall not abrogate, however, any right to the continued use of premises for these purposes pursuant to Section 12.24 L. Certain restaurants may be excepted from the provisions of this subdivision and Section 12.24 pursuant to authority of the Zoning Administrator contained in Section 12.24 X 2. *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

11. **Tennis or Paddle Tennis Courts.** A tennis or paddle tennis court, constructed as an accessory use to the primary residential use on the same lot in the A or R Zones, shall comply with specific construction and operation standards as may be established by the Zoning Administrator pursuant to Section 12.27 C 4 and shall be located as required in Subsection C of this section. *(Added by Ord. No. 151,466, Eff. 10/27/78.)*

12. **Oak Tree Relocation and Replacement.** All existing oak trees and relocation and replacement trees specified by the Advisory Agency in accordance with Sections 17.02, 17.05, 17.06, 17.51 and 17.52 of this Code shall be indicated on a plot plan shown on the reverse side of any building permit issued pursuant to this Code. In addition, the trees shall be identified and described by a map and documentation as required by the Advisory Agency. A certificate of occupancy will not be issued unless the conditions set forth by the Advisory Agency relative to oak trees are met. *(Added by Ord. No. 153,478, Eff. 4/11/80.)*

13. **Permitted Incidental Use for Bingo.** The conducting of any game of bingo authorized pursuant to the provisions of Article 4.5 of Chapter IV of this Code shall be permitted in the A, R, CR and C1 Zones as an activity incidental to any permitted or conditionally permitted use therein for a school, church, lodge, auditorium, recreational and community center or other similar use, provided that the off-street automobile parking space requirements of Subdivision 4 of Section 12.21 A have been satisfied. Parking spaces provided in satisfaction of such requirements for the permitted incidental use for bingo shall not be subject to the requirements set forth in Subdivisions 5, 6 and 9 of Section 12.21 A of this Code. *(Added by Ord. No. 153,620, Eff. 5/19/80.)*

14. **Alcoholic Beverages.** Notwithstanding any other provisions of this Code to the contrary, no building, structure or land shall be used for the sale or dispensing for consideration of any alcoholic beverage, including beer and wine, for consumption off-site of the premises except upon premises approved for that use in accordance with the provisions of Section 12.24. The provisions of this subdivision shall not abrogate any right to the continued use of premises for those purposes pursuant to Section 12.24 L of this Code.

The provisions of this subdivision shall not apply to the sale or dispensing, for consideration, of alcoholic beverages, including beer and wine, for consumption off-site of the premises, if the premises are located within the area of an operative specific plan which provides for conditional use approval for the sale or dispensing. If such a specific plan ceases to be operative, then a conditional use approval granted pursuant to the provisions of that specific plan, for the sales or dispensing, may continue subject to the same rights and limitations as a conditional use granted pursuant to the provisions of Section 12.24 of this Code.

(Amended by Ord. No. 173,268, Eff. 7/1/00.)

15. *(Repealed by Ord. No. 171,740, Eff. 10/27/97.)*

16. **Bicycle Parking and Shower Facilities.** Off-street parking spaces for bicycles and facilities for employee showers and lockers shall be provided as follows:

(a) In the C and M Zones, for any building, portion thereof or addition thereto used for non-residential purposes which contains a floor area in excess of 10,000 square feet, bicycle parking spaces shall be provided at the rate of two percent of the number of automobile parking spaces required by this section for such non-residential uses; provided, however, that at least one bicycle parking space shall be provided for any such building having a floor area in excess of 10,000 square feet of non-residential use. If the calculation of the number of required spaces under this paragraph results in a number including a fraction, the next highest whole number shall be the number of spaces required.

(b) The bicycle parking space requirements in Paragraph (a) shall also apply to any building, regardless of zone, owned by the City of Los Angeles and used by the City for government purposes which contains a floor area in excess of 10,000 square feet.

(c) All bicycle parking spaces required by this subdivision shall include a stationary parking device which adequately supports the bicycle. In addition, at least half of the bicycle parking spaces shall include a stationary parking device which securely locks the bicycle without the use of a user-supplied cable or chain. Devices which hold the bicycle upright by wheel contact must hold at least 180 degrees of wheel arc.

(d) Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall have a minimum of six feet of overhead clearance.

(e) Bicycle parking spaces shall be located no farther than the distance from a main entrance of the building to the nearest off-street automobile parking space.

(f) Bicycle parking spaces shall be separated from automobile parking spaces or aisles by a wall, fence, or curb or by at least five feet of open space marked to prohibit parking.

(g) Aisles providing access to bicycle parking spaces shall be at least five feet in width.

(h) Signage which is clearly legible upon approach to every automobile entrance to the parking facility shall be displayed indicating the availability and location of bicycle parking.

(i) Showers and lockers shall be provided as required by Section 91.0705 of this Code.

(Added by Ord. No. 167,409, Eff. 12/19/91.)

17. One-Family Dwellings, Accessory Buildings and Additions. Hillside Regulations. Notwithstanding any other provisions of this Code to the contrary, the following regulations shall apply to any Major Remodel - Hillside, or construction of or addition to any one-family dwelling or accessory building on a lot in the A1, A2, RA, RE, RS, R1 or RD Zones which lot is located in whole or in part in a Hillside Area.

(a) Front Yards.

(1) For any lot which fronts on a Substandard Hillside Limited Streets, there shall be a front yard of at least five feet.

(2) For any lot which fronts on a Standard Hillside Limited Street, the front yard shall be as otherwise required by this Code.

(3) Notwithstanding any other provisions of this Code to the contrary, open unenclosed stairways, porches, platforms and landing places not covered by a roof or canopy shall not project or extend into the front yard. Balconies with 10 feet of vertical clearance beneath them may project or extend no more than 30 inches into a front yard. *(Added by Ord. No. 168,728, Eff. 5/29/93.)*

(b) Side Yards.

(1) For any main building, each side yard shall be not less than five feet, unless the lot is less than 40 feet in width, then each side yard shall be not less than four feet.

(2) For any main building on a lot in the RA, RE, RS, R1 and RD Zones, the above required five-foot side yard or the side yard required by the zone in which the lot is located, whichever requirement is greater, shall be increased one foot for each increment of ten feet or fraction thereof above the first 18 feet of height of the main building. *(Amended by Ord. No. 168,728, Eff. 5/29/93.)*

(c) **Height.**

(1) On any lot where the slope of the lot measured from the lowest point of elevation of the lot to the highest point is 66 percent or less, no building or structure shall exceed 36 feet in height as measured from grade.

(2) On any lot which has a slope of greater than 66 percent as measured from the lowest point of elevation of the lot to the highest point, no building or structure shall exceed 45 feet in height as measured from grade.

EXCEPTION. Notwithstanding the provisions of Paragraph (2) above to the contrary, where the slope of the lot as measured from the highest point of the lot within five horizontal feet of an exterior wall of the main building to the lowest point of the lot within five horizontal feet of an exterior wall of the main building is less than 66 percent, then no portion of the main building shall exceed 36 feet in height.

(3) Roof structures may exceed the otherwise allowable height limit, provided the structures conform to the provisions of Section 12.21.1 B. (Amended by Ord. No. 173,268, Eff. 7/1/00.)

(i) Skylights shall not exceed the otherwise allowable height limit by more than 30 inches, nor shall skylights which exceed the otherwise allowable height cover more than 33 1/3 percent of the roof area upon which the skylight is constructed.

(ii) Roof structures housing stairways shall not exceed the otherwise allowable height limit by more than five feet, nor shall they be greater than 36 square feet in area.

(4) For any lot, where the elevation of the ground at a point 50 feet from the front lot line and midway between the side lot lines is 33 feet or more higher than the lowest point of the front lot line, no portion of a building or structure within 20 feet of the front lot line shall exceed 24 feet in height. The 24 foot maximum building and structure height shall be measured from the elevation at the centerline or midpoint of the street on which the lot fronts.

(5) For the purpose of measuring height pursuant to this subdivision, grade shall be defined as the elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective elevation of grade for purposes of measuring height of a building or structure.

(d) **Fire Protection.**

(1) Notwithstanding any other provisions of this Code to the contrary, any new construction of a one-family dwelling or detached accessory building, shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code.

(2) An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed:

(i) whenever an addition to an existing one-family dwelling or accessory building increases the floor area by 50 percent or more of the area of the existing dwelling or building; or

(ii) whenever the aggregate value of Major Remodels within a one-year period exceeds 50 percent of the replacement cost of the dwelling or accessory building; and the dwelling or accessory building is on a lot located on a Substandard Hillside Limited Street and located either more than two miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than one and one-half miles from a fire station housing a Los Angeles Fire Department Engine Company. *(Amended by Ord. No. 168,728, Eff. 5/29/93.)*

(3) The sprinkler system required in i and ii above shall be sufficient to cover the entire dwelling or building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all applicable codes.

(4) The provisions of Paragraphs i and ii above shall not apply to accessory structures such as gazebos, pergolas, or storage sheds provided these structures are not supported by or attached to any portion of a dwelling or accessory building and do not exceed 200 square feet in floor area.

(e) Street Access.

(1) For any new construction of, or addition to, a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street, no building permit or grading permit shall be issued unless at least one-half of the width of the street(s) has been dedicated for the full width of the frontage of the lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of this Code shall be available for relief from this subparagraph.

(2) For any new construction of, or addition to, a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street which is improved to a width of less than 20 feet, no building permit or grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X 21.

(Amended by Ord. No. 173,268, Eff. 7/1/00.)

(f) Lot Coverage.

(1) Buildings and structures extending more than six feet above natural ground level shall cover no more than 40 percent of the area of a lot.

(2) Notwithstanding (1) above, for a lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), buildings and structures shall cover no more than 45 percent of the area of a lot.

(g) Sewer Connection. No building permit shall be issued for the construction of any new one-family dwelling on a lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer.

(h) **Off-Street Parking Requirements.** No building or grading permit shall be issued for the construction of any one-family dwelling, accessory building, Major Remodel-Hillside, or addition thereto located on a lot which fronts on a Substandard Hillside Limited Street, unless the following requirements are met.

In addition to the off-street automobile parking spaces required by Section 12.21 A 4 (a), the following off-street parking spaces shall be provided:

(1) For a main building and any accessory building, excluding floor area devoted to required parking, which exceed a combined floor area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of floor area for a maximum of five total on-site spaces.

(2) Notwithstanding the provisions of Section 12.21 C 1 (g) of this Code to the contrary, the additional parking spaces required by this paragraph may be uncovered and in tandem, and may be located within the required 5-foot front yard.

(3) If the requirements in this paragraph require the grading of 1,000 cubic yards or more of earth, then no building or grading permit shall be issued for a new one-family dwelling, accessory building, Major Remodel-Hillside, or addition to the above on a lot which fronts on a Substandard Hillside Limited Street unless the Zoning Administrator has issued an approval pursuant to Section 12.24 X 21. (*Amended by Ord. No. 173,268, Eff. 7/1/00.*)

(i) **Exceptions.** The provisions of this Subdivision 17 shall not apply to:

(1) One-family dwellings, accessory buildings and additions thereto within a subdivision for which a tentative or final tract map was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing building height, yards, open space or lot coverage, and provided, further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985;

(2) Any construction on a lot which fronts on a fully-improved street which meets or exceeds the dimensions of a Hillside Street (Limited) as shown in the Standard Street Dimensions of Standard Plan D-22549 as determined by the Bureau of Engineering;

(3) Any additions made after September 14, 1992, to a one-family dwelling existing prior to that date, provided:

(a) the total cumulative floor area of all such additions does not exceed 750 square feet (excluded from calculations of this 750 square foot limitation is floor area devoted to required parking); and

(b) the resulting building does not exceed the height of the original building or the height permitted in Paragraph (c) of this subdivision, whichever is greater; and

(c) at least two off-street parking spaces are provided.

(4) Any remodeling of a main building on a lot in the Hillside Area, as defined in Section 12.03, which does not add square footage and for which the aggregate value of all of the alterations within a one-year period does not exceed 50 percent of the replacement cost of the main building.

(Amended by Ord. No. 169,961, Eff. 8/28/94.)

(Added by Ord. No. 168,159, Eff. 9/14/92.)

18. Recycling Centers And Facilities.

(a) Any educational institution, church, league or charitable institution, or any organization described in Section 501 (c) (3) or (4) of the Internal Revenue Code shall be allowed to collect cans, bottles, papers, and plastic on its grounds as an accessory use or on City property, if approved by the City department with jurisdiction over that property, in all zones provided that:

(1) the area for depositing Recyclable Materials does not exceed 200 square feet and shall be a minimum of 10 feet from all buildings, and 150 feet from the property line of any adjoining property in an A or R Zone, except for areas for the collection of newspapers only;

(2) all Recycling Receptacles are covered, durable, waterproof, rustproof, and of incombustible construction;

(3) notwithstanding other provisions of this code, Recycling Receptacles are enclosed by an eight-foot chain link fence with wooden slats, concrete block or similar construction (enclosure), which shall be properly maintained at all times;

(4) either the Recycling Receptacle or the enclosure is clearly identified with the business name, address, telephone number, hours of operation and notice that no material is to be left outside the enclosure;

(5) each Recycling Receptacle clearly indicates the type of material to be deposited;

(6) on a daily basis the area for depositing Recyclable Materials is kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards;

(7) the hours of operation are Monday through Saturday from 8 a.m. to 4 p.m., and Sunday from 10 a.m. to 4 p.m. except when the collection site is further than 500 feet from any A or R Zone, then the permitted hours of operation are seven days a week from dawn until dusk;

(8) the enclosure is kept secure from unauthorized entry by a locking gate or guard maintaining security for the main building;

(9) the enclosure does not diminish the required number of parking spaces or impair traffic flow; and

(10) newspapers are emptied from Recycling Receptacles when full or every week, whichever occurs first, and all other materials are emptied from Recycling Receptacles when full or every 72 hours, whichever occurs first.

(11) The baling of newspapers is permitted; however can or bottle crushing is not permitted.

(12) An administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Paragraph (g) of this subdivision for any violation of the provisions of this subparagraph.

(b) Any educational institution, church, league, or charitable institution, or any organization described in Section 501 (c) (3) or (4) of the Internal Revenue Code shall be permitted the use of Mobile Recycling Centers as defined in Section 12.03 of this Code, for organized drives for the collection of cans, bottles, papers, and plastic in all zones provided that:

(1) collections may be made on the grounds of the organization sponsoring the collection drive unless otherwise authorized by the Department of Building and Safety, or on a continuous basis at a recycling center certified by the California Department of Conservation, Recycling Division;

(2) the collection of materials shall not be conducted on the site of an existing residential structure;

(3) not more than three drives shall be conducted on the same site within a 12-month period and the duration of any drive shall not exceed 30 days. No drive shall be conducted within a 90-day period following a prior drive on the same site or within 1,000 feet of the same site;

(4) a permit for which no fee shall be charged must be obtained from the Social Service Department for the purpose of verifying proper time limitations prior to initiation of any drive conducted pursuant to this subdivision;

(5) the Mobile Recycling Center shall be a minimum of 10 feet from all buildings; and

(6) the Mobile Recycling Center shall be maintained such that it is secured from unauthorized entry.

(7) An administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Paragraph (g) of this subdivision for any violation of the provisions of this paragraph.

(c) Recycling Collection or Buyback Centers, including reverse vending machines and Mobile Recycling Centers, as defined in Section 12.03 of this Code, shall be permitted in conjunction with grocery markets in the C1 or any less restrictive zone, or in the P or PB Zone in conjunction with a grocery market on the same site in a C1 or less restrictive zone.

(1) All Recycling Collection or Buyback Centers established pursuant to this paragraph must be in conjunction with a grocery market on the same site.

(2) For the purposes of this paragraph, the term “grocery market” shall mean a retail business, of which greater than one half of the floor area is devoted to the sale of food items for consumption or use off the premises, excluding alcoholic beverages.

(d) The depositing of glass, cans, papers, plastic, beverage containers, and similar Recyclable Materials, Recycling Collection or Buyback Centers, and Mobile Recycling Centers, shall be permitted in the M2 and M3 Zones without obtaining a conditional use permit pursuant to Section 12.24 U 22 (b) of this Code, provided that all of the following conditions are met: *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

(1) the lot upon which the Recycling Collection or Buyback Center is located is not within 1,000 feet of any A, R, C, P, PB, MR, or M1 Zone or use;

(2) the area for depositing Recyclable Materials does not exceed a total of 1,000 square feet;

(3) the area for depositing Recyclable Materials shall be a minimum of 10 feet from all property lines, except for Reverse Vending Machines and Reverse Vending Machine Commodity Storage Bins located 24 inches or less from the exterior wall of a building;

(4) the entire site shall be enclosed by a 6-foot high concrete block or masonry wall. In addition, if the facility is located in any C, P or PB Zone, a five-foot landscaped buffer, approved by the City Planning Department as provided in Section 12.21 A 6 (i) of this Code, shall be maintained along all street frontages;

(5) all Recycling Receptacles shall be covered, durable, waterproof, rustproof, of incombustible construction, and of sufficient capacity to accommodate the materials collected;

(6) except for Reverse Vending Machine Commodity Storage Bins, either the Recycling Receptacle or the enclosure is clearly identified with the operator's name, address, telephone number, hours of operation, and a notice that no material shall be left outside the enclosure, and each Recycling Receptacle must clearly indicate the type of material to be deposited.

(7) on a daily basis the site is kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards;

(8) Recyclable Materials, other than Recyclable Materials contained in reverse vending machine commodity storage bins, are emptied from Recycling Receptacles when full or every week, whichever occurs first;

(9) all recycled goods shall be placed or stored in Recycling Receptacles and not be left out on the site by the end of the business day;

(10) paper products and other lightweight materials shall be immediately placed into covered Recycling Receptacles when they are dropped off;

(11) the hours of operation shall not exceed Monday through Friday from 7 a.m. to 8 p.m., Saturday from 8 a.m. to 6 p.m., and Sunday from 10 a.m. to 6 p.m., except for Reverse Vending Machines that are located within 24 inches of the exterior wall of a building, which may operate from 7 a.m. to 10 p.m., seven days a week;

(12) all Recycling Receptacles and containers shall be kept secure from unauthorized entry to prevent scavenging and theft of recyclable materials;

(13) the area for depositing Recyclable Materials and/or enclosure shall not impair traffic flow nor diminish the required parking spaces except that up to 10 percent of the required parking spaces may be used as part of the area utilized for Recyclable Materials; provided, however, that if the area for depositing Recyclable Materials is abandoned, then the parking spaces shall be reestablished;

(14) any activity involving baling and hand sorting of Recyclable Materials, as well as automated can conveyor/magnetic or mechanical separators, and crushers for can, glass, or plastic bottles, is conducted in compliance with Section 12.19 A 4 (b) (1) of this Code.

(15) at least one trash receptacle shall be provided within a recycling site;

(16) the area for collection of Recyclable Materials, and all driveways, parking areas, storage areas, and loading zones shall be paved and maintained in good condition;

(17) a source of running water shall be maintained on the site;
and

(18) no Recycling Center Operator shall permit loitering, camping, public begging, consumption of alcoholic beverages, use of illegal narcotics, or any other criminal activity on any premises over which he has control.

(19) An administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Paragraph (g) of this subdivision for any violation of the provisions of this paragraph.

(e) Recycling Materials Sorting Facilities shall be permitted in all M and MR Zones without obtaining a conditional use permit pursuant to Section 12.24 U 22 (d), provided that all of the following conditions are met: *(Amended by Ord. No. 173,492, Eff. 10/10/00.)*



(1) the facility is located at least 1,000 feet from any A, R, C, P, or PB Zone or use;

(2) the facility shall be operated by a Recycling Center Operator or Junk Dealer;

(3) notwithstanding any other provisions of the Code, no processing of Recyclable Materials shall be permitted at the facility;

(4) Recyclable Materials to be sorted shall be limited to paper, cardboard, glass, metal, plastic and other items that are deemed appropriate by the Department of Building and Safety, Bureau of Sanitation, and Fire Department;

(5) the hours of operation shall be limited to 7 a.m. to 8 p.m., seven days a week, if the facility is located within 1,000 feet of an A or R Zone or any residential use. Otherwise, operation may be 24 hours a day. All operations must comply with Section 111.03 of this Code. The facility and all related activities shall be administered by on-site personnel during the hours the center is open;

(6) no depositing of Recyclable Materials shall be permitted during hours the center is not open;

(7) the facility shall be clearly identified with the operator's name, address, telephone number, hours of operation and a notice stating that no material shall be left outside the recycling center enclosure;

(8) Recycling Receptacles shall be provided that are durable, waterproof, rustproof and of incombustible construction and of a capacity which are sufficient to accommodate the materials collected;

(9) automated sorting and separating machinery shall be permitted, provided that the machinery is conducted in compliance with Section 12.19 A 4 (b) (1) of this Code;

(10) adequate parking, loading, and drive through space to accommodate customers shall be provided as required in Section 12.19 A 4 (b) (4) of this Code;

(11) the facility shall be maintained in a clean, safe and sanitary condition on a daily basis;

(12) a source of running water shall be maintained on the site;

(13) the facility shall utilize some type of dust mitigation and/or wind mitigation measures to prevent blowing debris;

(14) the facility shall comply with the other limitations as set forth in Section 12.19 A 4 (b) of this Code;

(15) the facility shall be surrounded by a 6-foot high concrete block wall and a 5-foot landscaped buffer, approved by the City Planning Department as provided in Section 12.21 A 6 (i) of this Code, adjoining all street frontages; and

(16) no Recycling Center Operator shall permit loitering, camping, public begging, consumption of alcoholic beverages, use of illegal narcotics, or any other criminal activity on any premises over which he has control.

(17) An administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Paragraph (g) of this subdivision for any violation of the provisions of this paragraph.

(f) Recycling Materials Processing Facilities shall be permitted in the M2 and M3 Zones without obtaining a conditional use permit pursuant to Section 12.24 U 22 (c) of this Code, provided that all of the following conditions are met:

(1) the facility shall be located at least 1,000 feet from any A, R, C, P, PB, MR, or M1 Zone or use;

(2) the facility shall be operated by a Recycling Center Operator or Junk Dealer;

(3) notwithstanding any other provisions of the Code, Recyclable Materials collected and processed on the site shall be limited to paper, cardboard, glass, metal, plastic and other items that are deemed appropriate by the Department of Building and Safety, Bureau of Sanitation, and Fire Department;

(4) hours of operation shall be limited to 7 a.m. to 8 p.m., seven days a week, if the facility is located within 1,000 feet of an A or R Zone or any residential use. Otherwise, operation may be 24 hours a day. All operations must comply with Section 111.03 of this Code. The facility and all related activities shall be administered by on-site personnel during the hours the center is open;

(5) no depositing of Recyclable Materials shall be permitted during hours the center is not open;

(6) the facility shall be clearly identified with the operator's name, address, telephone number, hours of operation and a notice stating that no material shall be left outside the recycling center enclosure;

(7) if Recycling Receptacles are used for storage of materials on-site, they shall be durable, waterproof, rustproof, and of incombustible construction;

(8) processing machinery, such as weighing scales and crushing and separating machines shall be permitted, provided that the machinery is conducted in compliance with Section 12.19 A 4 (b) (1) of this Code;

(9) the facility shall provide adequate parking, loading, and drive through space to accommodate customers, as required in Section 12.19 A 4 (b) (4) of this Code;

(10) the facility shall be maintained in a clean, safe and sanitary condition on a daily basis;

(11) a source of running water shall be maintained on the site;

(12) the facility shall utilize some type of dust mitigation and/or wind mitigation measures to prevent blowing debris;

(13) the facility shall comply with the other limitations as set forth in Section 12.19 A 4 (b) of this Code;

(14) the facility shall be surrounded by a 6-foot high concrete block wall and a 5-foot landscaped buffer, approved by the City Planning Department as provided in Section 12.21 A 6 (i) of this Code, adjoining all street frontages; and

(15) no Recycling Center Operator shall permit loitering, camping, public begging, consumption of alcoholic beverages, use of illegal narcotics, or any other criminal activity on any premises over which he has control.

(16) an administrative fine of \$250.00 may be collected by the Department of Building and Safety pursuant to the procedures set forth in Paragraph (g) of this subdivision for any violation of the provisions of this paragraph.

(Amended by Ord. No. 173,268, Eff. 7/1/00.)

(g) An administrative fine of \$250.00 may be collected by the Department of Building and Safety for any violation of the provisions of this subdivision pursuant to the following provisions.

(1) **Definitions.** As used in this subparagraph the term "Superintendent" means the Superintendent of the Department of Building and Safety. The term "Department" means the Department of Building and Safety.

(2) **Notice to Comply.** For any use found to be in violation of Section 12.21 A 18, the Superintendent shall send a Notice to Comply to the owner of the property and the operator of the use. The Notice to Comply shall clearly state the following:

(i) The violation must be corrected by a compliance date specified in the Notice, which date shall be no more than 15 days from the date the Notice is mailed.

(ii) Failure to correct the violation on or before the compliance date may result in the imposition of an administrative fine in the amount of \$250.00.

(iii) Repeated violations can result in nuisance abatement procedures under the provisions of the Code.

(3) **Reinspection.** The Superintendent shall reinspect a property for which a Notice to Comply was issued pursuant to this paragraph subsequent to the compliance date.

(4) **Failure to Correct Violation.** If any violation specified in the Notice to Comply is not corrected prior to the compliance date as specified in the Notice to Comply, an administrative fine of \$250.00 may be collected by the Department.

If the Department determines that a fine is due, then it shall notify the person cited by United States mail in a sealed envelope, with postage paid, addressed to the last known address of the person cited as the address appears in the last equalized assessment roll. Service of the notice shall be deemed to have been completed at the time of deposit with the United States Postal Service.

The person cited shall remit the fine to the Department within 30 days after the date of mailing the notice. If the person cited fails to do so, then the Department, by sending a second notification by certified mail, may demand payment of the fine from the person cited and may prohibit the issuance of any building permit, license or approval to the cited person until such fees are paid.

(5) **Appeals.** Appeals may be made from a Notice to Comply issued by the Department pursuant to this subdivision pursuant to Section 12.26 K. *(Amended by Ord. No. 173,268, Eff. 7/1/00.)*

(Added by Ord. No. 171,687, Eff. 8/19/97.)

19. Area For Collecting And Loading Recyclable Materials.

(a) **Purpose.** In accordance with state regulations regarding recycling facilities, these provisions that require adequate areas for collecting and loading Recyclable Materials serve to divert solid waste and address source reduction, recycling, and composting activities.

(b) **Definitions.** As used in this subdivision, the term "development project" shall mean any of the following:

(1) The issuance of a building permit for a commercial, industrial, or institutional building where solid waste generated by the facility is collected and loaded.

(2) The issuance of a building permit for a marina where solid waste generated by the facility is collected and loaded. For the purpose of this definition, the floor area of a marina is the space dedicated to the docking or mooring of marine vessels.

(3) Any new public facility where solid waste generated by the facility is collected and loaded, or any improvements to an area of an existing public facility used to collect and load solid waste generated by the facility. For purposes of this definition, a public facility includes but is not limited to buildings, structures, marinas, and outdoor recreation areas owned by a local agency.

(4) The issuance of a building permit for a residential building having four or more living units where solid waste generated by the units is collected and loaded.

(5) The issuance of a building permit for four or more residential units, including detached single-family homes, where solid waste generated by the units is collected and loaded and serves all four or more units.

(c) **Requirements for Recycling Areas or Rooms in a Development Project.** All new construction development projects, all multiple-family residential development projects of four or more units where the addition of floor area is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more, shall provide an adequate Recycling Area or Room, as defined in Section 12.03 of this Code, for collecting and loading Recyclable Materials.

Any existing development project for which multiple building permits are issued within a 12-month period which results in the expansion of the existing development project beyond the above thresholds shall also provide a Recycling Area or Room.

The Recycling Area or Room shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public. No payment shall be made to persons depositing Recyclable Materials and no processing of Recyclable Materials shall be permitted, except for periodic loading of materials into a vehicle for removal from the site. The following requirements shall also apply:

(1) It shall be the responsibility of the property owner and lessee to supply and maintain Recycling Area(s) or Room(s) and Recycling Receptacles that are adequate for the collection of all Recyclable Materials generated by the use(s) occupying the site:

(2) The Recycling Area or Room shall comply with the following standards for minimum size:

(i) for multiple-family residential uses of 20 or less dwelling units, or commercial, industrial or institutional uses with a total floor area of less than 3,000 square feet, the minimum Recycling Area or Room shall be 30 square feet;

(ii) for multiple-family residential uses of 21 to 50 dwelling units, or commercial, industrial or institutional uses having a total floor area of 3,001 to 7,500 square feet, the minimum Recycling Area or Room shall be 60 square feet;

(iii) for multiple-family residential uses of 51 or more dwelling units, or commercial, industrial or institutional uses having a total floor area of greater than 7,500 square feet, the minimum Recycling Area or Room shall be 100 square feet;

(iv) every Recycling Area or Room shall contain a minimum vertical space of at least eight feet;

(3) The Recycling Area or Room shall be of adequate size for the collection of all Recyclable Materials generated by the use(s) occupying the site, without such materials overflowing the area or forcing significant amounts of Recyclable Materials to be discarded as general refuse, or the Department of Building and Safety shall determine the area to be inadequate and require a larger space, even if the area provided exceeds the minimum requirements listed in Subparagraph 2 above;

(4) To encourage active participation in recycling to the maximum extent possible, each property owner, manager, or lessee shall inform all tenants and/or employees living or working on the property of the availability and location of the Recycling Area(s) or Room(s), the types of materials that are collected for recycling, that the recycling collection facilities are located on the property pursuant to state law requiring the diversion of a substantial portion of solid waste;

(5) Each property owner or lessee shall contract with a recycler or hauler for the pick-up of Recyclable Materials, separate from trash collection, when receptacles are full or every week, whichever occurs first;

(6) No toxic or hazardous material shall be stored in Recycling Areas or Rooms recycling or receptacles;

(7) All Recyclable Materials shall be placed or stored in Recycling Receptacles. Paper products and other lightweight materials shall be immediately placed into covered Recycling Receptacles when they are dropped off;

(8) On a daily basis the Recycling Area or Room shall be kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards;

(9) The Recycling Area or Room shall be clearly identified by one or more signs designating it for recycling collection and loading;

(10) The Recycling Area or Room shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public;

(11) Recycling Areas or Rooms shall not diminish the required number of parking spaces or impair traffic flow;

(12) Recycling Areas and Rooms shall be placed alongside of trash areas or rooms wherever possible. In all cases, recycling areas and rooms shall be separate from trash areas or rooms and shall comply with the following:

(i) recycling rooms shall comply with Section 91.6102 of this Code and must be equipped with an automatic sprinkler system pursuant to Section 57.21.04 A 3 of this Code.

(ii) outdoor Recycling Areas in commercial, industrial, or public facilities, or residential buildings having four or more living units shall be confined to the rear one-half of the lot and shall not exceed an area of 300 square feet.

(iii) outdoor Recycling Areas shall be completely enclosed by an eight-foot wall or chain link fence with wooden slates, concrete block, or similar construction (enclosure) with gates of the same height. No material shall exceed the height of the wall or fence. The enclosure shall be constructed with a concrete floor sloped to drain, and a water faucet for hose attachment shall be located adjacent to or within the enclosure. The enclosure shall be secured by a locking gate.

(iv) pursuant to Section 57.21.04 A 2 of the Code, outdoor Recycling Areas shall be located a minimum of 10 feet from any building or building opening except when located adjacent to a minimum one-hour wall and a minimum of 10 feet from any building opening.

(Added by Ord. No. 171,687, Eff. 8/19/97.)

(SEE FOLLOWING PAGES FOR
HILLSIDE ORDINANCE - EXHIBIT A)

HILLSIDE ORDINANCE - EXHIBIT A

In the Sunland/Tujunga Community Plan Area:

Lowell Avenue west at Day Street west to Glory Avenue
North on Glory Avenue to Apperson Street
West on Apperson Street to Pinyon Avenue
North on Pinyon Avenue to Hillrose Street
West on Hillrose Street to Tujunga Canyon Boulevard
Northwesterly direction on Tujunga Canyon Boulevard to

Wentworth Street

West on Wentworth Street to Mt. Gleason Avenue
North on Mt. Gleason Avenue to Ellenbogen Street
West on Ellenbogen Street to Oro Vista Avenue
South on Oro Vista Avenue to Wentworth Street
West on Wentworth Street to Sherman Grove Avenue
South on Sherman Grove Avenue to Fenwick Street
West on Fenwick Street to Foothill Boulevard
South on Foothill Boulevard to intersection of Foothill Boulevard

and Sunland Boulevard

East on Foothill Boulevard to New Home Avenue
South on New Home Avenue to Apperson Street
East on Apperson Street to Sherman Grove Avenue
South on Sherman Grove Avenue to Day Street
East on Day Street to Oro Vista Avenue
South on Oro Vista Avenue to McGroarty Street
East on McGroarty Street to Mt. Gleason Avenue
North on Mt. Gleason Avenue to Valmont Street
East on Valmont Street to Plainview Avenue
North on Plainview Avenue to Foothill Boulevard
East on Foothill Boulevard to Commerce Avenue
South on Commerce Avenue to St. Esteban Street
East on St. Esteban Street to Tujunga Canyon Boulevard
North on Tujunga Canyon Boulevard to Foothill Boulevard
East on Foothill Boulevard to Lowell Avenue
North on Lowell Avenue to Day Street

In the Canoga Park/West Hills/Woodland Hills Community Plan Area:

Southerly boundary of Roscoe Boulevard and Topanga Canyon Boulevard

West on Roscoe Boulevard to Woodlake Avenue
South on Woodlake Avenue to Sherman Way
West on Sherman Way to Highlander Road
Highlander Road to Valley Circle Road intersection
South on Valley Circle Road to Vanowen Street
West on Vanowen Street to Los Angeles City limits
North on Los Angeles City limits to Dayton Canyon Drive
East on Dayton Canyon Drive to Roscoe Boulevard

and Topanga Canyon intersection

Starting at the Northern boundary of the 101 Freeway and Topanga Canyon Boulevard

North on Topanga Canyon Boulevard to Oxnard Street

West on Oxnard Street on Shoup Avenue
North on Shoup Avenue to Victory Boulevard
West on Victory Boulevard to Woodlake Avenue
South on Woodlake Avenue to Calvert Street
West on Calvert Street to Valley Circle Boulevard
North on Valley Circle Boulevard to Kittridge Street
West on Kittridge Street to the Los Angeles City limits
East City limits south on the 101 Freeway
West on 101 Freeway to Topanga Canyon Boulevard
Starting at the northern boundary of the 101 Freeway
and DeSoto Avenue
North on DeSoto Avenue to Victory Boulevard
East on Victory Boulevard to Winnetka Avenue
South on Winnetka Avenue to Oxnard Street
East on Oxnard Street to Lubao Avenue
South on Lubao Avenue to the 101 Freeway
West on the 101 Freeway to DeSoto Avenue

In the Hollywood Community Plan Area; Hillside Map A-13372:

La Brea Avenue at Franklin Avenue west to Bonita Terrace
North on Bonita Terrace Avenue to Franklin Avenue
East on Franklin Avenue to Vermont Avenue
North on Vermont Avenue to Los Feliz Boulevard
South on Commonwealth Avenue to Prospect Avenue
East on Prospect Avenue to Talmadge Street
South on Talmadge Street to Fountain Avenue
East on Fountain Avenue to Griffith Park Boulevard

In the Westwood Community Plan Area:

Area bounded by Sunset Boulevard on the north, City of Beverly Hills boundary on the east, Wilshire Boulevard on the south and Veteran Avenue on the west

Area bounded by Wilshire Boulevard on the north, City of Beverly Hills boundary on the east, Santa Monica Boulevard on the south and Beverly Glen Boulevard on the west

In the West Los Angeles District Plan Area:

Area bounded by Santa Monica Boulevard on the north, City of Beverly Hills on the east, Pico Boulevard on the south, Beverly Glen Boulevard on the west

Area bounded by Pico Boulevard on the north, Robertson Boulevard on the east, National Boulevard on the south and Motor Avenue on the east

In the West Adams/Baldwin Hills/Leimert District Plan Area:

South of Slauson, west of Crenshaw Boulevard north of Fairview Boulevard and east of the westernmost boundary of the District Plan area within the City limits between the City of Inglewood and the unincorporated County of Los Angeles

In the Westchester/Playa del Rey District Plan Area:

West of the easternmost boundary of the District Plan area within the City limit between the City of Inglewood and the unincorporated County of Los Angeles, and east of La Cienega Boulevard

Fronting on La Cienega Boulevard between W. 63rd Street and Centinela Avenue

South of Centinela Avenue west of La Cienega Boulevard north of Florence/Manchester Avenues and east of Sepulveda Boulevard

South of Hughes Terrace, west of Sepulveda Boulevard north of Manchester Avenue and east of Lincoln Boulevard

South of Culver Boulevard west of Lincoln Boulevard north of Los Angeles International Airport and east of Pershing Drive

South of Culver Boulevard west of Pershing Drive north of Imperial Highway and the El Segundo City limits and east of the Pacific Ocean

In the Palms/Mar Vista/Del Rey District Plan Area:

South of Palms Boulevard west of Interstate 405, north of Venice Boulevard and east of Walgrove Avenue

In the Westwood Community Plan Area and the West Los Angeles District Plan Area:

South of Wilshire Boulevard, west of Beverly Glen Boulevard, north of Pico Boulevard and east of Interstate 405

In the West Los Angeles District Plan and the Palms/Mar Vista/Del Rey District Plan Area:

South of Pico Boulevard west of Motor Avenue north of Venice Boulevard and east of Interstate 405

In the West Adams/Baldwin Hills/Leimert District Plan Area:

Martin Luther King, Jr. Boulevard on the north

La Cienega/Jefferson Boulevard on the west

Don Tomaso Drive/Stocker Street on the south

Crenshaw Boulevard on the east

In the Brentwood-Pacific Palisades and West Los Angeles District Plan Area:

South of Sunset Boulevard and east of Allenford Avenue easterly to Veteran Avenue

**CLICK HERE FOR
Map 1 of Exhibit A**

**CLICK HERE FOR
Map 2 of Exhibit A**

**CLICK HERE FOR
Map 3 of Exhibit A**

**CLICK HERE FOR
Map 4 of Exhibit A**

**CLICK HERE FOR
Map 5 of Exhibit A**

**CLICK HERE FOR
Map 6 of Exhibit A**

**CLICK HERE FOR
Map 7 of Exhibit A**

**CLICK HERE FOR
Map 8 of Exhibit A**

B. *(Repealed by Ord. No. 123,074, Eff. 11/24/62.)*

C. **Area.**

1. **Area Regulations**--(Exceptions are provided in Section 12.22 C.)

(a) No building or structure shall be erected or maintained and no existing building shall be enlarged, moved or maintained unless all the area regulations are complied with for the zone in which they are located.

A zoning law which prescribes a minimum area for residential lots is valid and constitutional and is not objectionable upon retroactive grounds in destroying the owner's vested property rights, but it looks only to the future in guiding a pattern of home development in the enhancement of the public interest, and a sale of a piece of property which contains less than the minimum area is voidable.

Clemons v. City of Los Angeles, 36 Cal. 2d 95.

A sale of property in violation of the ordinance is voidable at the instance of the buyer. *Harland v. Noto, 105 Cal. App. 2d 740, 743.*

Barder v. McClung, 93 Cal. App. 2d 692.

(b) No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this article, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

No required yard or other open space around a building shall be located and maintained on property which is in a more restrictive zone than that of the property on which such building is located; except that where a lot is partly in the P Zone and partly a C or M Zone, any P Zone may be used to meet any yard requirements of the C or M Zone, provided the front yard conforms to the requirements of Section 12.21 C 1 (g) and all unpaved areas of such yards are suitably landscaped. The relationship between the more restrictive and less restrictive zones shall be determined by the sequence of zones set forth in Section 12.23 B 1 (c). *(Amended by Ord. No. 151,599, Eff. 11/24/78.)*

(c) Except in the RZ Zone, every main building shall be located and maintained on a "lot" or "air space lot" as defined in this article, and all parts of such building shall be connected in a substantial manner by common walls or a continuous roof. In the RZ Zone a main building may be located on not more than five lots. There may not be more than one such building on a lot in the RA, RE, RS, R1, RU, RMP, or RW1 Zones, or on a group of lots in the RZ Zone. *(Amended by Ord. No. 164,904, Eff. 7/7/89.)*

Provided, however there may be more than one main residential building on a lot in an RW 2 Zone, but there shall be no more than one main residential building for each 2,300 square feet of lot area. *(Amended by Ord. No. 159,532, Eff. 1/3/85.)*

(d) No building or structure shall be erected or maintained on a lot which abuts a street having only a portion of its required width where no part of the street would normally revert to the lot if vacated, or which lot is separated from the a street by only a future street, unless the yards provided and maintained adjacent to the street in connection with the building or structure have a width or depth, which includes the portion of the lot needed to complete the required width of the street, plus the width or depth of the yards required on the lot by other provisions of this article. Where a future street intervenes between the lot and the street, the yards shall be determined as though the lot abutted directly on the future street. In no case, shall this regulation be applied so as to reduce the buildable width of a corner lot to less than 40 feet.

The City Planning Commission, upon request, shall determine a required street width. The determination shall be based upon the standards for street widths contained in the subdivision regulations of the City, the prevailing widths of streets in the immediate, surrounding area, with due consideration given to any particular topographical or geological conditions or sizes of ownership affecting the property involved.

(Amended by Ord. No. 173,268, Eff. 7/1/00.)

(e) On any lot of less than one acre in an RA or R Zone which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations, the originally required front yard shall be provided and maintained on such lot in addition to any new front yard required by any subsequent rearrangement of the lot lines by sale or division (without recording a subdivision map) creating a new lot fronting on a different street than that on which said original lot fronted. *(Amended by Ord. No. 140,717, Eff. 8/12/70.)*

(f) No accessory building shall be structurally altered, converted, enlarged or maintained for the purpose of providing living quarters or dwelling units unless such accessory building and all enlargements thereof are made to conform to all the regulations of this article for new buildings.

(g) Every required front, side and rear yard shall be open and unobstructed from the ground to the sky, except for those projections permitted by Sections 12.08.5, 12.09.5, and 12.22.



No automobile parking space shall be provided or maintained within a required front yard. Except where a lot is developed with a building meeting the requirements of Section 12.08.3 B 1, not more than 50 percent of a required front yard shall be designed, improved or used for access driveways.

All portions of the required front yard of two family dwellings, multiple dwellings or group dwellings, apartment houses, hotels, motels, apartment hotels and retirement hotels in the RD, R3, R4, R5, or C Zones not used for necessary driveways and walkways, including decorative walkways, shall be landscaped, and shall not otherwise be paved. This landscaping shall be in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Department of City Planning. At least one tree shall be provided for each

500 square feet of unpaved area. These trees shall be at least 15 gallon in size and at least six feet in height at the time of planting. All landscaped areas shall be equipped with an automatic irrigation system and shall be properly maintained.

A fee pursuant to Section 19.01 I shall be paid to the Department of City Planning for the checking of landscape plans, pursuant to this paragraph. However, the fee shall be waived if any other fee has been paid for checking of landscape plans for the same property.

No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required yard space in which fences over 3 ½ feet in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level.

(Amended by Ord. No. 173,492, Eff. 10/10/00.)

(h) At each end of a through lot there shall be a front yard of the depth required by this article for the zone in which each street frontage is located; except that only one front yard need be provided on those through lots which abut on a primary, major or secondary highway, as such highways are shown on the "Highways and Freeways Element of the General Plan," when the rights to vehicular ingress and egress from such through lots to the highway have been abandoned or prohibited by a tract restriction as a condition precedent to the approval of the recordation of the subdivision in which such through lots are included. Where only one front yard is required on a through lot as provided herein the rear yard shall be located on the portion of such lot adjacent to the highway.

Where a through lot is less than 150 feet in depth or is developed as a single building site, and the two required front yards are provided, no rear yard is required. *(Amended by Ord. No. 141,821, Eff. 5/24/71.)*

(i) No required yard or other open space around an existing building shall be separated in ownership from the portion of the lot upon which the building is located.

(j) The area of a lot upon which a building or use is located shall not be reduced below the total area required for all of the dwelling units or guest rooms contained in the building or required for the specific use, or required because of the height or total floor area contained in the building, by separating the ownership of a portion of the lot from that upon which the building or use is located. No required lot area which is provided for a dwelling unit, guest room, specific use or total floor area within a building shall be considered as providing the required lot area for any other dwelling unit, guest room, specific use or total floor area within a building. *(Amended by Ord. No. 110,225, Eff. 11/22/57.)*

(k) No lot or parcel of land held under separate ownership at the time this article became effective shall be separated in ownership or reduced in size below the minimum lot width or lot area required by this article nor shall any lot or parcel of land held under separate ownership at the time this article became effective and which has a width or an area less than that required by this article be further reduced in any manner.

(l) In determining the required side and rear yards of a building, any basement containing habitable rooms shall be considered a story. *(Added by Ord. No. 131,309, Eff. 4/24/66.)*

See citations under Section 12.21 C 1 (a).

2. **Spaces Between Buildings--Passageways**--Where more than one residential building or a rear residential building is located on a lot or the entrance to a residential building is not directly from a street, the following passageways and other open spaces shall be provided and maintained:

(a) There shall be at least 20 feet of space between every two-story apartment hotel, apartment house, boarding or rooming house, guest house hotel or multiple dwelling, and any other main building on the same lot. Such space may be reduced to 10 feet where the buildings are located on a corner lot and the space opens directly onto the side street.

In the RD Zone there shall be at least 20 feet of space between every main building and any other main building on the same lot where either of the buildings contains three or more dwelling units.

In all other cases there shall be at least 10 feet of space between every residential building and another main building on the same lot.

The width of the space herein required shall be increased by two feet for each story over two contained in any building adjoining said space.

Those regulations do not apply to the spaces required between accessory buildings (not designed as residential buildings) and other buildings on the same lot as otherwise provided for in Subdivision 5 of this subsection.

(Amended by Ord. No. 151,608, Eff. 11/27/78.)

(b) There shall be a passageway at least 10 feet in width extending from a street to one entrance of each dwelling unit or guest room in every residential building, except those located in the RW, RU or RZ Zones, unless there is an entrance to the dwelling unit or guest room opening directly onto a public street or into a hallway opening into a public street or onto a 10-foot passageway extending to a public street. In the RW and RZ Zones, there shall be a passageway at least four feet in width, and in the RU Zone, there shall be a passageway at least three feet in width, extending from a street, or public right-of-way in the case of the RW Zones, to one entrance of each dwelling unit in every residential building. *(Amended by Ord. No. 161,716, Eff. 12/6/86.)*

The passageway shall be increased by two feet in width for each story over two contained in any building located between the public street and the building which the passageway serves. The passageway shall be located on the same lot as the building which it serves.

Where a one-story, one or two-family dwelling has been continuously maintained on the front of a lot since prior to June 1, 1946, with a passageway of less than 10 feet but not less than eight feet in width from the street to the rear of said dwelling, an additional one or two-family dwelling may be erected and maintained on the rear of the lot, provided the passageway is not further reduced. However this limited passageway shall be permitted where there are to be only two residential buildings on the lot. *(Amended by Ord. No. 108,661, Eff. 2/11/57.)*

In addition to all other applicable provisions herein, where a building or portion thereof is constructed on or within an air space lot, and such building or portion thereof is used for residential purposes, there shall be a passageway extending from a street to the entrance of such building on the lot which has had the air space above or below it divided by such air space lot or lots. *(Added by Ord. No. 156,681, Eff. 6/21/82.)*

(c) In computing the width of a passageway where the passageway adjoins a lot line, the width of any required yard adjoining such lot line may be assumed to be a portion of the required width of the passageway.

(d) Any space between buildings or any passageway having less width than that required by this subdivision shall be maintained and shall not be further reduced in any manner.

(e) The passageways and other open spaces required by this subdivision shall be open and unobstructed from ground to sky, except for the projections permitted by the provisions of Section 12.22 C. *(Amended by Ord. No. 107,884, Eff. 9/23/56.)*

3. Yards for Institutions, Churches, etc.--In the RA and R Zones, no building, structure or land shall be used and no building shall be erected, structurally altered, converted, enlarged or maintained for a hospital, institution, church, library, museum, or other similar use, unless the following yards are provided and maintained:

(a) For hospitals, institutions or similar uses, there shall be a side yard on each side of said buildings of not less than 20 percent of the width of the lot (except as permitted by (c) hereof), but such side yard need not exceed 25 feet, and shall be not less than ten feet in width where said yard adjoins another lot in an RA or R Zone.

(b) For churches, clubs, educational institutions, elementary and high schools, libraries or museums, the combined widths of the two side yards on an interior lot shall be not less than 40 percent of the width of the lot, but need not exceed 50 feet, and on either an interior lot or a corner lot the side yard adjoining another lot in an RA or R Zone shall be not less than ten feet in width;

(c) The side or rear yard required for the buildings referred to in (a) and (b) hereof, which adjoin property in a C, CM or M Zone, or the side yard which adjoins the street side of a corner lot, may be the same as required for buildings in the R4 Zone (Section 12.11 C 2 and 3);

(d) All other yards in connection with buildings referred to in (a) and (b) hereof, shall comply with the regulations of the zone in which the buildings are located.

(e) For hospitals, institutions, churches, libraries, museums or other similar uses located in a building which combines residential and commercial uses pursuant to Section 12.22 A 18 (developments combining residential and commercial uses), the yard requirements set forth in Section 12.22 A 18 (c) shall apply. *(Added by Ord. No. 156,681, Eff. 6/21/82.)*

(f) Notwithstanding any other provision of this article to the contrary, for hospitals, institutions, churches, libraries, museums or other similar uses not located in a building which combines residential and commercial uses, the Director of Planning may apply the yard requirements set forth in Section 12.22 A 18 (c) if he finds:

(1) the use is on a separate lot or air space lot from the residential or commercial uses,

(2) the use is an integral part of a project which combines residential and commercial uses,

(3) the yards permitted by Section 12.22 A 18 (c) are compatible to the surrounding uses.

(Added by Ord. No. 156,681, Eff. 6/20/82.)

4. Tennis or Paddle Tennis Court Construction and Operation Standards and Regulations. To establish construction and operation standards and regulations for tennis or paddle tennis courts constructed in the A and R Zones if the courts are accessory to the primary residential use of the subject lots. The standards and regulations may include, but are not limited to: hours of use, type of intensity of lighting and the height and type of windscreens. The standards and regulations shall reasonably restrict and minimize any detrimental effect of the location and design and use of the courts on the occupants of adjoining properties and the neighborhood. *(Added by Ord. No. 173,268, Eff. 7/1/00.)*

5. Location of Accessory Buildings and Tennis or Paddle Tennis Courts--No accessory building or tennis or paddle tennis court shall be constructed, erected or maintained and no existing accessory building or tennis or paddle tennis court shall be structurally altered, converted, enlarged, moved or maintained unless such accessory building or tennis or paddle tennis court is located on the lot in conformance with the following regulations: *(Amended by Ord. No. 151,466, Eff. 10/27/78.)*

(a) In the A and R Zones, every animal keeping structure for the housing of equines, cattle, sheep, goats, swine or other similar animals shall be located on the rear half of a lot, but need not be located more than 100 feet from a front lot line. Every such structure shall be located not less than 25 feet from all side lot lines. An animal keeping structure or enclosure shall neither be located closer than 35 feet from the habitable rooms of the animal keeper's dwelling unit nor closer than 75 feet from the habitable rooms of a neighbor's dwelling unit. *(Amended by Ord. No. 157,144, Eff. 11/22/82.)*

(b) In the A and R Zones, all other accessory buildings (not regulated by Paragraph (a) above or permitted in the front yard of a sloping lot) shall be located on the rear half of a lot but need not be located more than 55 feet from a front lot line. In the A1 and A2 Zones, such accessory buildings shall be located not less than 10 feet from any side street lot line, and in the RA and R Zones shall be located not closer to the side street lot line than the width of the side yard required for a main building of the same height. *(Amended by Ord. No. 121,925, Eff. 6/4/62.)*

(c) On a reversed corner lot, an accessory building shall not be located nearer to the side lot line on the street side of such corner lot than the front yard depth required on the lot in the rear, nor be located nearer than five feet to the side lot line of such lot. *(Amended by Ord. No. 138,685, Eff. 7/10/69.)*

(d) In the A and R Zones, all accessory buildings shall be located not less than 10 feet from any main building or accessory living quarters on the same lot. Provided, however, that where an accessory building (other than a residential building) is not nearer to the adjacent side lot line than the width of the side yard required for a main building of the same height, said accessory building and all its projections may be not less than five feet from the side of a main building and all its projections. *(Amended by Ord No. 121,925, Eff. 6/4/62.)*

(e) In the A and R Zones, any recreation room in an accessory building and any accessory building designed or used in whole or in part as a residential building or accessory living quarters shall be located not less than five feet from the rear lot line and not nearer to any side lot line than the width of the side yard required for a main building of the same height. *(Amended by Ord. No. 121,925, Eff. 6/4/62.)*

(f) Two-story accessory buildings shall be located not less than five feet from the rear lot line and not nearer to any side lot line than the width of the side yard required for a main building of the same height. *(Amended by Ord. No. 121,925, Eff. 6/4/62.)*

(g) No accessory building shall be erected or maintained within 10 feet from the center line of an alley. *(Amended by Ord. No. 125,278, Eff. 9/16/63.)*

(h) No accessory building or use shall be located on property in a more restrictive zone than that required for the main building or main use to which it is accessory. The relationship between the more restrictive and the less restrictive zones shall be determined by the sequence of zones set forth in Section 12.23 B 1 (c). *(Amended by Ord. No. 107,091, Eff. 4/13/56.)*

(i) In the C and M Zones, an accessory building for a residential building shall be located in the same manner as permitted in an R Zone. *(Added by Ord. No. 121,925, Eff. 6/4/62.)*

(j) Except as otherwise required in this subdivision, an accessory building may be located in any portion of a required rear yard, and may be located in that portion of a required side yard which is within 30 feet of the rear lot line. An accessory building may be located in a side yard required for a building more than two stories in height if the accessory building is not closer than five feet to the side lot line. A one-story accessory building for a single-family dwelling may be located in that portion of a required side yard which is within 30 feet of the rear lot line or in a required side yard if not closer than 75 feet to the front lot line nor closer than 10 feet to the main building. *(Added by Ord. No. 125,278, Eff. 9/16/63.)*

(k) In the RA and R Zones where a through lot with no required rear yard has a depth of 150 feet or more, an accessory building shall not extend into either required front yard, except that it need not be more than 25 feet from both front lot lines.

Where such through lot has a depth of less than 150 feet, an accessory building may be located in one of the required front yards, if such building is set back from the front lot line a distance of not less than 10 percent of the lot depth and does not project beyond the front line of an existing main building along the frontage, except that such building need not be located more than 25 feet from both front lot lines.

No accessory building on a through lot shall be nearer to any side lot line than the width of the side yard required for a main building of the same height. *(Added by Ord. No. 125,278, Eff. 9/16/63.)*

(l) A private garage may be located in the required front yard of a lot having a slope conforming to that specified in Section 12.22 C 6, provided every portion of the garage building is at least five feet from the front lot line. Where the wall of such garage is two-thirds below the natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. *(Added by Ord. No. 125,278, Eff. 9/16/63.)*

(m) Tennis or paddle tennis courts, including fences and light standards accessory thereto, which are accessory to a primary residential use on the same lot in the A or R Zones, shall observe the same side, front and rear yards required for a one-story main building in the zone in which they are located, except as otherwise provided in Section 12.22 C 20 (m) of this Code. *(Added by Ord. No. 151,466, Eff. 10/27/78.)*

6. Loading Space.

(a) A loading space shall be provided and maintained on the same lot with every hospital, hotel, or institution building. A loading space shall be provided and maintained on the same lot with every building in the C or M Zones, where the lot on which said building is located abuts an alley, provided that when the lot is occupied by a use, such as a service station or a drive-in business, in which the building covers less than the total buildable area, a suitable loading space must be provided, but it need not comply with all the provisions of this section if its location, size and means of access are approved by the Department of Building and Safety.

EXCEPTION: No loading space shall be required on a lot that abuts an alley in the C or M Zones when all the buildings are erected, structurally altered, enlarged, or maintained and used solely as dwellings or apartment houses and the total number of dwelling units on the lot does not exceed 20.

(Amended by Ord. No. 138,685, Eff. 7/10/69.)

(b) Every required loading space shall be located and arranged that delivery vehicles may be driven upon or into said space from the alley. Such loading space shall have a minimum height of 14 feet and shall be directly accessible through a useable door not less than three feet in width and not less than six feet six inches in height opening from the building it is to serve. *(Amended by Ord. No. 138,685, Eff. 7/10/69.)*

(c) Every required loading space shall have a minimum area of 400 square feet, a minimum width of 20 feet measured along the alley line, and a minimum depth of 10 feet measured perpendicularly to the alley line, except as hereafter provided in this subsection. Such loading space may be furnished within a building where said building is designed and arranged to include accessible loading space equivalent to that required by this subdivision.

(d) The required loading space shall have a minimum area of 600 square feet where the gross floor area of all buildings on the lot exceeds 50,000 square feet, but not more than 100,000 square feet; a minimum area of 800 square feet where the gross floor area of all buildings is between 100,000 and 200,000 square feet; and shall be increased by an additional 200 square feet for each additional 200,000 square feet or fraction thereof of gross floor area in the buildings.

(e) The required loading space, on lots less than 40 feet in width, shall extend across the full width of the lot at the alley line, but need not exceed 10 feet in depth.

(f) No loading space shall be required on a lot on which a building, other than a residential building, is to be erected, structurally altered, or enlarged, and on which there is an existing separate building being lawfully maintained adjacent to the alley in such manner as to prevent the establishment of the loading space required by the provisions of this subdivision. *(Amended by Ord. No. 130,952, Eff. 11/8/65.)*

(g) No loading space shall be required on unusually shaped lots, oddly located lots, or on hillside lots, when waived by the Department of Building and Safety as provided for in Section 12.26 B.

(h) Any loading space being maintained in connection with an existing main building shall be maintained so long as the building remains; provided, however, that this regulation shall not require the maintenance of more loading space than is herein required for a new building, nor the maintenance of such space in any other zone or for any other buildings than those specified herein.

7. Special Requirements for Corner Lots in the C or M Zones.

(a) In addition to any other requirement contained in this article, no building or structure shall be erected within a visibility triangle, or portion thereof, on any corner lot in the C or M Zones, except a corner lot subject to the provisions of Section 12.37 or which complies with the provisions of Section 17.05 D 4 of this Code. Such visibility triangle shall contain no structure or other obstruction to visibility from two and one-half to 10 feet above the adjacent curb level. For purposes of this subdivision a visibility triangle is defined as the area bounded by:

- (1) The front lot line from its intersection with the side street lot line to a point 10 feet from said intersection;
- (2) The sidestreet lot line from its intersection with the front lot line to a point 10 feet from said intersection; and
- (3) A diagonal line joining said two points.

Nothing in this subdivision shall prohibit the location of one column or pillar supporting an upper story and having no horizontal dimension of more than 24 inches within said visibility triangle.

(b) The City Engineer may approve and allow such variations from the aforesaid requirements as he determines are made necessary by the conditions of the terrain.

(c) Any person required to provide a visibility triangle in accordance with the provisions of this subdivision may appeal any determination made by the City Engineer to the Board of Public Works. Such an appeal shall be made in writing and shall state in clear and concise language the grounds therefor. The Board of Public Works may grant such waivers or modifications of the requirements of this subdivision as it shall determine are required to prevent any unreasonable hardship under the facts of each case so long as such modifications or waivers are in conformity with the general spirit and intent of the requirements of this subdivision.

(d) The requirements of this subdivision shall be in addition to those requirements set forth in Section 62.200 of this Code.

(Added by Ord. No. 143,825, Eff. 10/19/72.)

D. Location of Hospitals.

No hospital, sanitarium or clinic for mental, or drug or liquor addict cases shall be established or maintained on any property within 600 feet of the property on which an elementary or high school is being maintained.

E. Use Of Future Streets and Alleys.

No building or structure, except a fence, shall be erected or maintained on any portion of a lot which has been designated as a future street or alley, as provided for in Article 7 hereof, nor shall any portion of said future street or future alley be used in providing minimum off-street parking required by this section.

(Added by Ord. No. 129,499, Eff. 3/28/65.)

F. *(Repealed by Ord. No. 173,492, Eff. 10/10/00.)*



G. **Open Space Requirement for Six or More Residential Units.**

1. **Purpose.** It is the purpose of this subsection to establish reasonable and uniform regulations to provide usable open space as a means to fulfill the following objectives: afford occupants of multiple residential dwelling units opportunities for outdoor living and recreation; provide safer play areas for children as an alternative to the surrounding streets, parking areas, and alleys; improve the aesthetic quality of multiple residential dwelling units by providing relief to the massing of buildings through the use of landscape materials and reduced lot coverage; and provide a more desirable living environment for occupants of multiple residential dwelling units by increasing natural light and ventilation, improving pedestrian circulation and providing access to on-site recreation facilities.

2. **Regulations.** New construction (resulting in additional floor area and additional units) of a building or group of buildings containing six or more dwelling units on a lot shall provide at a minimum the following usable open space per dwelling unit: 100 square feet for each unit having less than three habitable rooms; 125 square feet for each unit having three habitable rooms; and 175 square feet for each unit having more than three habitable rooms.

For purposes of this subsection, usable open space shall mean an area which is designed and intended to be used for active or passive recreation. Usable open space may consist of private and/or common area as further defined and regulated herein. Parking areas, including access aisles, driveways, and required front and side yards, open space areas located above the first habitable room level, except as otherwise provided for herein, shall not qualify as usable open space.

(a) **Common Open Space:**

(1) Common open space shall meet each of the following requirements:

(i) Be open to the sky and have no structures that project into the common open space area, except as provided in Section 12.22 C 20 (b).

(ii) Be readily accessible to all the residents of the site.

(iii) Have a minimum area of 400 square feet with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area.

(iv) Constitute at least 50% of the total required usable open space in developments built at an R3, R4 and/or R5 density regardless of the underlying zone.

(v) Be located at the grade level or first habitable room level, except in developments built at an R3, R4 and/or R5 density regardless of the underlying zone.

(2) Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas and sitting areas. Amenities that meet the Department of Recreation and Parks specifications pursuant to Section 17.12 F of this Code may be credited against fees required under Section 12.33 of this Code.

(3) A minimum of 25 percent of the common open space area shall be planted with ground cover, shrubs or trees. At least one 24-inch box tree for every four dwelling units shall be provided on site and may include street trees in the parkway. For a surface area not located directly on finished grade that is used for common open space, and located at ground level or the first habitable room level, shrubs and/or trees shall be contained within permanent planters at least 30 inches in depth, and lawn or ground cover shall be at least 12 inches in depth. All required landscaped areas shall be equipped with an automatic irrigation system and be properly drained.

The Director of Planning or the Director's designee shall have the authority to review and approve or disapprove all proposed landscape plans submitted in compliance with this paragraph.

(4) Notwithstanding the provisions set forth in this paragraph:

(i) Recreation rooms at least 600 square feet in area for a development of 16 or more dwelling units, or at least 400 square feet in area for a development of fewer than 16 dwelling units, may qualify as common open space, but shall not qualify for more than 25 percent of the total required usable open space.

(ii) Roof decks in developments built at an R3 density regardless of the underlying zone may be used as common open space, excluding that portion of the roof within 10 feet from the parapet wall.

(iii) Roof decks in developments built at an R4 and/or R5 density regardless of the underlying zone may be used in their entirety as common open space.

(b) **Private Open Space.** Private open space is an open space area which is contiguous to and immediately accessible from a single dwelling unit and which meets all of the following requirements of the zones herein specified:

(1) In the RD1.5 and more restrictive zones:

(i) private open space shall be located at grade level or the first habitable room level and be open to the sky. Structures may project no more than three feet into the private open space area, provided there is a minimum eight foot vertical clearance under the projection, except as provided in Section 12.22 C 20 (b);

(ii) private open space shall be enclosed by a solid fence at least four feet in height; and

(iii) the private open space area shall have no horizontal dimension less than eight feet, when measured perpendicular from any point on each of the boundaries of the open space area and contain a minimum of 100 square feet of which no more than 100 square feet per dwelling unit shall be attributable to the total required open space.

(2) In developments built at an R3, R4 and/or R5 density regardless of the underlying zone, private open space may be provided above the first habitable room level. When so provided, it shall:

(i) contain a minimum of 50 square feet of which no more than 50 square feet per dwelling unit shall be attributable to the total required usable open space;

(ii) have no horizontal dimension less than six feet when measured perpendicular from any point on each of the boundaries of the open space area; and

(iii) provide a minimum eight foot vertical clearance under any projection, except as provided in Section 12.22 C 20 (b); and

(iv) that portion of a balcony which extends or projects into a required front yard in compliance with Section 12.22 C 20 (d) may qualify as usable open space provided it meets each of the above specified requirements set forth in this subparagraph.

3. **Director's Decision.** If a development proposed with an R3, R4 or R5 density, regardless of the underlying zone, fails to meet the open space standards of this subsection, an applicant may apply to the Director of Planning for a Director's Decision. The applicant shall file an application in the public office of the Department of City Planning upon a form prescribed for that purpose and pay a filing fee equivalent to that established for a "Miscellaneous Plan Approval." This fee is set forth in Section 19.01 I of this Code. The application shall be accompanied by architectural, landscape and structural plans for the development, and other information as required by the Director of Planning. All open space areas for the development shall be clearly identified in the materials submitted.

(a) No decision granting approval under this subdivision shall exceed:

(1) a ten percent reduction in the total required usable open space, provided that any reduction is to the common open space portion only; or

(2) a ten percent increase in the qualifying area of recreation rooms up to a maximum of 35 percent of the total required usable open space; or

(3) a ten percent reduction in the required area for planting of ground cover, shrubs and trees in common open space, but that reduction shall not decrease the total required usable open space.

(b) **Decision.** The Director shall make a decision of approval, conditional approval or disapproval within 25 calendar days of the Department's acceptance of an application. Notice of the Director's decision shall be mailed to the applicant, the City Councilmember in whose District the property is located, and to all owners and lessees of property within a radius of 500 feet of the property. The decision of the Director shall include written findings in support of the decision. In order to approve a proposed development pursuant to this subsection, the Director must find:

(1) that the open space provided conforms with the objectives of this subsection, and

(2) that the proposed project complies with the total usable open space requirements.

(c) **Appeals.** The decision of the Director shall become final after an elapsed period of 15 calendar days from the date of mailing of the decision to the applicant, unless an appeal is filed with the Area Planning Commission within that period. The applicant, the City Councilmember in whose District the property is located, or any other interested person adversely affected by the decision of the Director may appeal to the Area Planning Commission. Appeals shall be processed in accordance with Section 12.24 I.

(Added by Ord. No. 171,753, Eff. 11/16/97.)

(Amended by Ord. No. 173,268, Eff. 7/1/00.)

