

**On Tuesday, November 6, 2007, the Planning and Land Use Management Committee and Housing and Economic Development Committee of the Los Angeles City Council adopted the proposed density bonus ordinance and various amendments, including the following amendments introduced by City Planning staff:**

### **AMENDMENT A**

Amend section (e) Incentives to require that all density bonus projects that utilize one or more incentives comply with various building design standards.

(e) Incentives.

- (1) In addition to the Density Bonus and Parking options identified in Paragraphs (c) and (d) of this subdivision, a Housing Development Project that qualifies for a Density bonus shall be granted the number of Incentives set forth in the table below.

[TABLE]

**(2) To be eligible to any on-menu incentives, a Housing Development Project shall comply with the following:**

- (i) **The façade of any portion of a building that abuts a street shall be articulated with a change of material or with a break in plane, so that the façade is not a flat surface.**
- (ii) **All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street-facing elevations.**

## AMENDMENT B

Amend Section (f) by adding an incentive (8) to permit a building situated on 2 or more parcels with different zones to average the density, floor area, parking, and open space across the parcels.

(f) Menu of Incentives.

(8) Averaging of Floor Area Ratio, Density, Parking or Open Space. A Housing Development Project that is located on two or more contiguous parcels or lots of record separated only by a street or alley, may average the floor area, density, open space and parking over the project site, provided that:

- (i) the Housing Development Project includes 11% or more of the units as Restricted Affordable Units for Very Low Income households, or 20% of the units for Low Income households; and
- (ii) the proposed use is permitted by the underlying zone(s) of each parcel; and
- (iii) no further lot line adjustment or any other action that may cause the Housing Development site to be subdivided subsequent to this grant shall be permitted.

## AMENDMENT C

Amend the appeal period for density bonus projects to require action by the City Planning Commission within 60 days of the last day of the appeal period.

Amend subparagraph f of paragraph (i) of subsection (2) of section (g) to read as follows:

f. Appeals. An applicant or any owner of property abutting, across the street or alley from, or having a common corner with the subject property aggrieved by the Director's decision may appeal the decision to the City Planning Commission pursuant to applicable procedures set forth in Section 11.5.7C6 of this Code that are not in conflict with the provisions of this paragraph (g)(2)(i). The appeal shall include a filing fee pursuant to Section 19.01B of this Code. Before acting on any appeal, the City Planning Commission shall set the matter for hearing, with written notice of the hearing sent by First Class Mail at least ten days prior to the meeting date to: the applicant; the owner(s) of the property involved; and interested parties who have requested notice in writing. The appeal shall be placed on the agenda for the first available meeting date of the City Planning Commission and acted upon within **60** days from the last day of the appeal period. The City Planning Commission may reverse or modify, in whole or in part, a decision of the Director. The City Planning Commission shall make the same findings required to be made by the Director, supported by facts in the record, and indicate why the Director erred making the determination. The appellate decision of the City Planning Commission shall be final and effective as provided in Charter Section 245.

## AMENDMENT D

Amend the definition of Housing Development Project to clarify that density bonus projects must be primarily residential projects.

**Housing Development Project** – the construction of five or more new residential dwelling units, the addition of five or more residential dwelling units to an existing building or buildings, the remodeling of a building or buildings containing five or more residential dwelling units **or a mixed use development in which the residential floor area occupies at least fifty percent of the total floor area of the building(s).** For the purpose of establishing the minimum number of five dwelling units, Restricted Affordable Units shall be included and density bonus units shall be excluded.

## AMENDMENT E

Amend Section 5 to clarify that the fees for density bonus applications include requests for incentives.

Sec. 5. Subsection O of Section 19.01 of the Los Angeles Municipal Code is amended to read:

O. DENSITY BONUS/**AFFORDABLE HOUSING INCENTIVES**

Type of Application	Filing Fee
Application for a Density Bonus <b>including</b> a request for one or more Incentives included in the Menu of Incentives pursuant to Section 12.22 A 25(e).	\$1,065.00*
Application for a Density Bonus pursuant to Section 12.22 A 25 <b>including</b> a request for an Incentive not included in the Menu of Incentives pursuant to Section 12. 22 A 25(e).	\$3,742.00*
Application for a density increase in excess of that permitted by Section 12.22 A 25 pursuant to Section 12.24 U 25 and Section 14.00 A 2.	\$3,742.00*