

CITY OF LOS ANGELES
 DEPARTMENT OF CITY PLANNING
 Construction Services Center

MELLO ACT
Advisory Notice and Screening Checklist
For Coastal Zone Projects

On January 3, 2001, the Los Angeles City Council entered into a settlement agreement concerning the City's compliance with the Mello Act (California Code Sections 65590 and 65590.1), a statewide law that requires local governments to comply with certain provisions designed to preserve and increase the supply of affordable housing in California's coastal zone. The Mello Act applies to any proposal to convert or demolish existing housing, or to develop new housing in the coastal zone. The purpose of this advisory notice and screening checklist is to determine if your project is subject to the Mello Act, and to inform you of the possible requirements.

Planning Counter Staff must complete this form for all coastal Zone projects.

STEP ONE. Does the project involve the conversion, demolition or construction of one or more "whole" residential units? Check all that apply.

- Efficiency dwelling units
- One-family dwellings
- Two-family dwellings
- Structures with three or more dwelling units or efficiency dwelling units
- Joint living and work quarters / Artist-in-Residence (AIR) units
- Mobile homes
- Mobile home lots in a mobile home park
- Residential hotel as defined in paragraph (1) of subdivision (b) of Section 50519 of the California Health and Safety Code: "Residential hotel means any building containing six or more guestrooms or efficiency units, as defined by Section 17958.1, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests, but does not mean any building containing six or more guestrooms or efficiency units, as defined by Section 17958.1, which is primarily used by transient guests who do not occupy that building as their primary residence."
 Section 17958.1 of the Health and Safety Code: "Notwithstanding Sections 17922m 17958, and 17958.5, a city or county may, by ordinance, permit efficiency units for occupancy by no more than two persons which have a minimum floor area of 150 square feet and which may also have a partial kitchen or bathroom facilities, as specified by the ordinance. In all other respects, these efficiency units shall conform to minimum standards for those occupancies otherwise made applicable pursuant to this part. 'Efficiency unit,' as used in this section, has the same meaning specified in the Uniform Building Code of the International Conference of Building Officials, as incorporated by reference in Chapter 2-12 of Part 2 of Title 24 of the California Code of Regulations."

If **no** boxes are checked, the project is not subject to the Mello Act and does not require a Mello Act compliance review. Counter Staff: Please indicate below if the proposed project is subject to the Mello Act and complete the information requested.

Subject to Mello Act: (circle) YES <input type="radio"/> NO <input checked="" type="radio"/>	
Case # (if subject to Mello Act)	-MEL
Project Description: <i>Mixed use building w/ commercial + residential unit</i>	
Project Address: <i>1636 & 1638 Abbot Kinney Boulevard</i>	
Owner/Applicant (PRINT): <i>Devels Usbert</i>	
Owner/Applicant Signature: Acknowledgement of Receipt of Copy	DATE: <i>4/03/07</i>
Planning Counter Staff Person (PRINT): <i>Daisy C. Mo</i>	Counter Staff (INITIAL) <i>PCM</i> DATE: <i>4/3/07</i>

If any of the boxes in STEP ONE are checked, proceed to STEP TWO.

STEP TWO. If any of the following questions are answered "YES," the project will require a Mello Act compliance review. A public hearing (if required) will not be scheduled, or written determination issued, until a Mello Act compliance review has been completed.

Replacement Housing	Conversion	YES	NO
	Will the project result in a reduction in the existing number of residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Will the project convert existing rental residential units to for-sale units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Will the project convert existing residential units to non-residential uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Demolition		
	Will the project involve the demolition of existing residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inclusionary Housing	New Housing Development		
	Will the project result in the construction of one or more "whole" residential units through new construction or adaptive reuse of existing non-residential structures?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STEP THREE. The Mello Act Coordinator is authorized to Issue Replacement/Inclusionary Housing Requirement Exemptions. If the project, or part of the project, may qualify for one or more of the following exemptions, please forward to the Mello Act Coordinator the appropriate requested documentation. These exemptions are:

1. OWNER-OCCUPIED SINGLE-FAMILY RESIDENCE that will be demolished and replaced with a new single-family dwelling for occupancy by the same owner. *The Owner/Applicant must complete and submit a Single-Family Dwelling Exemption Affidavit.*
2. EXISTING RESIDENTIAL STRUCTURE(S) TO BE DEMOLISHED HAS (HAVE) BEEN DECLARED A PUBLIC NUISANCE by the Department of Building and Safety. *The Owner/Applicant must provide a copy of Notice to Comply or Notice to Demolish.*
3. SMALL NEW HOUSING DEVELOPMENT consisting of fewer than 10 residential units. A new housing development of 9 or fewer residential units is considered a small new housing development.



All cases requiring Mello Act Compliance Review must forward to the Mello Act Coordinator the following documentation:

- Master Land Use Application (copy)
- Site Plan (copy)
- Mello Act Screening Checklist
- Additional Required information per requested exemption(s)

Rules for Conversions and Demolitions

- Existing residential units may or may not be converted or demolished for non-residential uses, unless the City first finds that residential uses are no longer feasible at that site. This rule applies to all existing units, not just affordable units.
- In most instances, converted or demolished existing affordable units must be replaced one-for-one. The Housing Department is responsible for determining whether existing residential units qualify as "affordable units." This process may take up to 60 days. While applications will be accepted for filing, they will not be "deemed complete" until the Housing Department has completed its review, as required by the Mello Act settlement agreement. *It is incumbent on the Owner/Applicant to complete and submit to the Housing Department an Affordable Housing Review Request.*

Rules for New Housing Developments

- **Ten or more units.** New housing developments of ten or more units must provide inclusionary residential units. Owner/Applicants have two options:
 - 1.) 20% of all units must be reserved for low-income households, or
 - 2.) 10% of all units must be reserved for very low-income households.

- **Nine or fewer units.** New housing developments of nine or fewer units are automatically exempt from the requirement to provide inclusionary residential units.