

ORDINANCE NO. _____

An ordinance amending Title 21 – Subdivisions, and Title 22 – Planning and Zoning, of the Los Angeles County Code to align local housing development regulations in the unincorporated areas of Los Angeles County with recent changes in state law; support the preservation and development of affordable housing; promote housing diversity; remove zoning barriers to fair housing; and simplify language and correct errors in the County Code to improve clarity and facilitate implementation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 21.08.090 is hereby amended to read as follows:

21.08.090 Lease Project.

...

B. The term "lease project" does not refer to the following:

1. Notwithstanding Subsection A, above:

a. The leasing of ~~individual dwelling units~~ apartments, offices, stores, or similar spaces within ~~one or more apartment houses~~ buildings, ~~as defined in Section 22.14.130~~, commercial buildings, or industrial buildings; or

...

SECTION 2. Section 21.08.170 is hereby amended to read as follows:

21.08.170 Subdivision.

A. "Subdivision" means the division by any subdivider of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease, financing or transfer of title, whether immediate or future.

...

3. "Subdivision" includes a condominium project, as defined in Section ~~1350~~ 4125 of the California Civil Code; a community apartment project, as defined in Section 11004 of the Business and Professions Code; or a lease project, as defined in this Title 21.

...

SECTION 3. Section 21.16.100 is hereby added to read as follows:

21.16.100 Affordable Housing Replacement.

A. Applicability. Except as otherwise specified in Subsection B., below, no tentative map shall be approved for a subdivision pursuant to this Title 21 without replacement of affordable housing units, where applicable, pursuant to this Section, and Chapters 22.119 (Affordable Housing Replacement) and 22.166 (Housing Permits) of Title 22.

B. Exemption. In addition to the exemptions provided in Section 22.119.040 (Exemptions), conversion to resident ownership of all rented spaces in a mobilehome park pursuant to Section 21.24.390 (Mobilehome divisions of land) is exempt from the affordable housing replacement requirements of this Section and Chapter 22.119 (Affordable Housing Replacement) of Title 22.

C. Requirements.

1. General. Except as otherwise specified in Section 22.119.060 (Replacement Requirements for Logistics Uses) of Title 22 or Subsection B., above, dwelling units that are proposed to be or have been demolished, vacated, or converted

from rental to for sale, shall be replaced subject to Section 22.119.050 (General Requirements) of Title 22.

2. Affordable Housing Replacement Fee. Notwithstanding Subsections B (Number and Type of Affordable Replacement Units) through H (Covenant and Agreement Required) in Section 22.119.050 (General Requirements) of Title 22, a subdivision subject to this Subsection C may provide the required replacement in the form of an affordable housing replacement fee in lieu of the provision of affordable replacement units, subject to the following:

a. Eligibility. A subdivision may be eligible to pay the affordable housing replacement fee, provided that:

i. The subdivision is not subject to Chapter 22.120 (Density Bonus) of Title 22;

ii. The dwelling unit that requires replacement is proposed to be converted from rental to for sale; and

iii. If the subdivision includes both the conversion of dwelling units from rental to for sale and the demolition of dwelling units, the fee may only be paid to satisfy the replacement requirement for the converted units. Dwelling units that are proposed to be or have been demolished shall be replaced through the provision of affordable replacement units pursuant to Section 22.119.050 (General Requirements) of Title 22;

b. Calculation of Fee.

i. The affordable housing replacement fee shall be calculated using the effective rate on the date the tentative map submission and filing is

completed, pursuant to Section 21.40.110 (Matters Required to Complete Submittal and Filing);

ii. The rate for the fee shall be applied by submarket area as specified in Table 22.268.020-A of Section 22.268.020 (Fee Rates) in Title 22; and

iii. The fee shall be the applicable rate per square foot of gross building area multiplied by the gross floor area of the units requiring replacement; and

c. Timing of Fee Payment. The affordable housing replacement fee shall be paid at the time of submittal of the final tract map or parcel map, pursuant to Section 21.44.050 (Matters Required for Submittal).

SECTION 4. Section 21.40.040 is hereby amended to read as follows:

21.40.040 Contents – Information and Documents Required.

A. The tentative map shall show and contain, or be accompanied by, the following as an aid to the advisory agency in its consideration of the design of the division of land:

...

21. In a division of land consisting of a condominium project as defined in Section ~~1350~~ 4125 of the California Civil Code, a community apartment project as defined in Section 11004 of the Business and Professions Code, or a lease project as defined in this Title 21, a tentative map shall comply with the requirements of Section 21.16.015. In a mobile home division of land, as defined in this Title 21, a tentative map

shall show the general location of all buildings, structures and mobile home spaces to be maintained or constructed, and the means of access thereto;

...

SECTION 5. Section 21.44.050 is hereby amended to read as follows:

21.44.050 Matters Required for Submittal.

At the time of submittal of the final tract map or parcel map, or prints thereof, the following matters shall be submitted to the county engineer or the Department of Regional Planning, as specified, as an aid in the processing of the final maps:

...

E. A print of the most recent ~~assessor~~ Assessor's Map Book page or pages covering the proposed division of land; and

F. The affordable housing replacement fee ~~Fees~~ paid to the Department of Regional Planning in accordance with Section 21.16.100.C.2 ~~Chapter 22.268~~ (Affordable Housing Replacement Fee) ~~of this Code~~, if applicable.

SECTION 6. Section 21.52.010 is hereby amended to read as follows:

21.52.010 Modification or Waiver of Provisions in this Title Authorized When.

A. Whenever, in the opinion of the advisory agency, the land involved in a subdivision is of such size or shape, or is subject to such title limitations of record or is affected by such topographical location or conditions, or is to be devoted to such usage, that it is impossible or impractical for the subdivider to conform fully to a regulation contained in this Title 21, the advisory agency may at the time of action on the tentative map of the subdivision modify the regulation, provided that in the case of each

modification the advisory agency shall first find that a special, individual reason makes the strict letter of the regulation impossible or impractical of observance and that the modification is in conformity with the spirit and purpose of the Subdivision Map Act and of this title; and provided, further, that the advisory agency shall make a report in writing setting forth each modification and the facts relied upon for making the modification.

B. The advisory agency, the county engineer, or the Board ~~board~~ of Supervisors ~~supervisors~~ shall waive the provisions of this ~~title~~ Title 21 and of ~~Section~~ section 66473 of the California Government Code ~~Subdivision Map Act~~ requiring disapproval of maps for failure to meet or perform state or local requirements or conditions, when the failure of a map submitted for approval is the result of a technical and inadvertent error which, in the determination of the advisory agency, the county engineer or the ~~board~~ Board of ~~supervisors~~ Supervisors does not materially affect the validity of the map. Such waivers shall not result in the invalidation or negation of any substantive requirement of this ~~title~~ Title 21, the Subdivision Map Act, or any other ordinance, statute, or regulation.

...

SECTION 7. Section 22.02.110 is hereby added to read as follows:

22.02.110 In Conjunction with Title 21.

This Title 22 shall apply to any application for development in conjunction with Title 21 (Subdivisions) where applicable.

SECTION 8. Section 22.06.020 is hereby amended to read as follows:

22.06.020 Suffixes to Zoning Symbols.

Notwithstanding Section 22.02.050.BC (Density), the letter "U," where used as a suffix to a zoning symbol, in combination with a numeral, shall designate the maximum

density, not including dwelling units permitted by a density bonus awarded by any provisions in this Title 22, in terms of units per net acre.

SECTION 9. Section 22.14.010 is hereby amended to read as follows:

22.14.010 A.

...

Accessory dwelling unit and junior accessory dwelling unit. The following terms are defined for the purposes of Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units):

...

Floor area. An interior space of a dwelling unit intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

Junior accessory dwelling unit. A dwelling unit, with independent exterior access, that is no more than 500 square feet of floor area ~~in size~~ and contained entirely within the footprint of a single-family residence, including an attached garage. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the single-family residence.

...

Adult residential facility. Any facility that provides 24-hours-a-day nonmedical care and supervision to adults, as defined and licensed under the regulations of the State of California. This term includes a “residential care facility for the elderly” as defined in section 1569.2 of the California Health and Safety Code.

Affordable housing and senior citizen housing. The following terms are defined for the purposes of Chapter 22.119 (Affordable Housing Replacement), Chapter

22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), Chapter 22.128 (Supportive Housing), Chapter 22.130 (Transitional Housing), Section 22.140.660 (Motel Conversions, Temporary), Chapter 22.166 (Housing Permits), and Section 22.246.090 (Private Art in Public Development Program):

...

Affordable housing set-aside. Dwelling units reserved for acutely low, extremely low, very low, lower, moderate, or middle income households.

Affordable rent. Unless otherwise specified, as ~~As~~ defined in section 50053**(b)(1)** of the California Health and Safety Code.

Affordable replacement units. Dwelling units reserved for acutely low, extremely low, very low, lower or moderate income households provided pursuant to Chapter 22.119 (Affordable Housing Replacement).

Affordable sale price. The maximum sale price of an affordable unit based on the affordable housing cost, as determined by the County.

~~Baseline dwelling units. The maximum number of dwelling units permitted by the General Plan land use designation.~~

Child care facility. As defined in section 65915(h)(4) of the California Government Code.

Common interest development. See “Common interest development.” ~~As defined in section 4100 of the California Civil Code.~~

Community land trust. See “Community land trust.”

Condominium project. See “Condominium project.”

...

Incentive. A reduction of a development standard or a modification of a zoning code requirement, or other regulatory incentive or concession, that results in identifiable and actual cost reductions to provide for affordable housing costs or rents.

Income. See "Income" for the following:

Acutely low income.

Area median income.

...

Income-restricted units. This term includes "affordable housing set-aside" and "affordable replacement units."

Major transit stop. Unless otherwise specified, as As-defined in section 21155(b) of the California Public Resources Code.

Within one-half mile of a major transit stop. Any point on a proposed development, for which an applicant seeks a density bonus, incentives, waivers or reductions of development standards, or a parking ratio pursuant to Chapter 22.120 (Density Bonus), is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.

Pre-bonus. Before a density bonus is awarded.

Qualified nonprofit housing corporation. A nonprofit housing corporation organized pursuant to section 501(c)(3) of the U.S. Internal Revenue Code that meets all of the requirements in section 714.7(d) of the California Civil Code or section 65915(c)(2)(A)(ii) of the California Government Code and has received a welfare exemption under section 214.15 of the California Revenue and Taxation Code for

properties intended to be sold to low income families who participate in a special no-interest loan program.

~~Religious institution affiliated housing development project. A housing development project that meets all of the following requirements:~~

~~1. It is located on one or more contiguous lots that are each owned, entirely, whether directly or through a wholly owned company or corporation, by a religious institution.~~

~~2. It qualifies as being near collocated religious use parking by being on or adjacent to a lot with religious use parking or by being located within one-tenth of a mile of a lot that contains religious use parking.~~

~~3. It qualifies for a density bonus under section 65915 of the California Government Code and this Chapter 22.120.~~

Senior citizen. A person who is 55 years of age or older, pursuant to sections 51.3, 798.76 or 799.5 of the California Civil Code, as applicable.

Senior citizen housing.

Mobilehome park for senior citizens. A mobilehome park that limits residency based on age requirements, pursuant to sections 798.76 or 799.5 of the California Civil Code.

Senior citizen housing development. As defined in section 51.3(b) of the California Civil Code. This term includes a shared housing building development and a residential care facility for the elderly, as defined in section 1569.2 of the California Health and Safety Code.

Shared housing building. See "Shared housing building."

Shared housing unit. See "Shared housing unit."

Special needs housing. As defined in section 51312 of the California Health and Safety Code.

Specific adverse impact. As defined in ~~Section~~ section 65589.5(d)(2) of the California Government Code.

Supportive housing. ~~As defined in section 50675.14 of the California Health and Safety Code.~~ See "Supportive housing."

Submarket area. A geographic area with similar land use and real estate markets, as depicted in Figures 22.14.010-A through 22.14.010-F, below.

...

Transitional housing. See "Transitional housing."

Unobstructed access. Access without encountering natural or constructed impediments, which include but are not limited to, freeways, rivers, mountains, and bodies of water, but do not include residential structures, shopping centers, parking lots, or rails used for transit.

Very low vehicle travel area. An urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of the regional vehicle miles traveled per capita.

Waiver or reduction of development standards. A waiver or reduction of development standards that has the effect of physically precluding the construction of a project at the densities or with the incentives permitted by Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing).

~~Supportive housing. See "Supportive housing" in Section 22.14.190 (S),~~
~~below.~~

~~Transitional housing. See "Transitional housing" in Section 22.14.200 (T),~~
~~below.~~

...

SECTION 10. Section 22.14.020 is hereby amended to read as follows:

22.14.020 B.

...

Building frontage. The exterior building wall of a ground floor business establishment on the side of the building that fronts or is oriented towards a public street, highway, or parkway. "Building frontage" shall be measured continuously along the building wall for the entire length of the business establishment, including any portion not parallel to the remainder of the wall.

Building or structure, nonconforming due to density. Any building or structure containing one or more principal dwelling units that was lawfully established and, together with any other buildings or structures on the lot, complied with the allowable density pursuant to the General Plan, or any applicable Area, Community, or Neighborhood Plan at the time such plan or any amendment thereto became effective, but which, due to the application of the General Plan or any applicable Area, Community, or Neighborhood Plan or any amendment thereto, no longer complies with the allowable density specified by the land use designation of such plan. This term does not include any building containing dwelling units permitted by a density bonus awarded by any provisions in this Title 22. This term also does not include a building or structure

located in the Coastal Zone which is consistent with the provisions of this Title 22 with the exception of obtaining a Coastal Development Permit.

...

SECTION 11. Section 22.14.030 is hereby amended to read as follows:

22.14.030 C.

...

Caretaker residence. An dwelling unit accommodation for a person residing on the premises of an employer and who is receiving meaningful compensation to assume the primary responsibility for the necessary repair, maintenance, supervision, or security of the real or personal property of the employer which is located on the same or contiguous lots.

...

Commission. The Regional Planning Commission of the County of Los Angeles.
Common interest development. As defined in section 4100 of the California Civil Code.

...

Community garden. A garden for multiple users established on a single or multiple plots of land for the cultivation of fruits, vegetables, plants, flowers, and/or herbs for the collective benefit of its users. All accessory storage structures for materials and equipment for the community garden shall be completely enclosed, and shall be located no less than six feet from any habitable structure. The sale of products on-site at a community garden is prohibited, unless otherwise specifically permitted in the zone.

Community land trust. As defined in section 402.1(a)(11)(C)(ii) of the California Revenue and Taxation Code.

...

~~Condominium conversion. The conversion of rental dwelling units to condominiums, as defined in section 4125 of the California Civil Code, that are dwelling units.~~ The following terms are defined for the purposes of Section 22.140.680 (Condominium Conversions):

Condominium conversion. The conversion of tenant-occupied rental dwelling units to condominiums, as defined in section 4125 of the California Civil Code.

Tenant. As defined in Section 8.52.030 in Title 8 (Consumer Protection, Business and Wage Regulations) of the County Code.

Condominium project. As defined in section 4125 of the California Civil Code.

...

SECTION 12. Section 22.14.040 is hereby amended to read as follows:

22.14.040 D.

...

Dry cleaning establishment. Any premises equipped to perform the service of dry cleaning as defined in the California Fire Code. This term may include a dry cleaning agency, a retail or wholesale dry cleaning plant, or self-service or coin-operated dry cleaning.

Retail dry cleaning plant. A plant where gross sales consist of at least 51 percent of direct sales to persons other than licensed dry cleaners.

Wholesale dry cleaning plant. A plant where gross sales consist of at least 51 percent of sales to licensed dry cleaners.

Duplex. See “Two-family residence” under “Multi-family housing.”

Dwelling unit. One or more habitable rooms in a building, or portion thereof, designed or intended to be used or used for occupancy by one ~~family~~ household for living and sleeping quarters and containing ~~only~~ no more than one kitchen. This term includes:

1. One or more habitable rooms within a manufactured home or a mobilehome which are designed to be occupied by one ~~family~~ household with facilities for living, sleeping, cooking, eating, and sanitation; and
2. Any habitable room used for sleeping accommodations which contains a bar sink or gas, electrical, or water outlets designed, used for, or intended to be used for cooking facilities, except a guest room or suite in a hotel specifically approved by a Conditional Use Permit (Chapter 22.158).

Dwelling unit, principal. A dwelling unit established, or proposed to be established, as a primary or dominant use or portion thereof on a lot. Except as specified otherwise in this Title 22, a principal dwelling unit is a self-contained space that includes its own permanent provisions for living, sleeping, eating, cooking, and sanitation. This term includes “primary residence.”

SECTION 13. Section 22.14.050 is hereby amended to read as follows:

22.14.050 E.

...

Emergency shelter. Temporary Housing that offers ~~temporary accommodations~~ and services to people experiencing homelessness for a period not exceeding six months, as defined in section 50801(e) of the California Health and Safety Code. ~~As used herein, "temporary accommodations" means that persons may reside at the shelter for a period not to exceed six months.~~ This term includes other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care, as set forth in section 65583(a)(4) of the California Government Code, and a low barrier navigation center as defined in section 65660 of the California Government Code.

...

SECTION 14. Section 22.14.060 is hereby amended to read as follows:

22.14.060 F.

Family. One or more persons living together in a dwelling unit who jointly use common areas and share activities in the dwelling unit. "Household" shall mean the same as "family." ~~as a single housekeeping unit in a dwelling unit. This term shall not include institutional group living situations such as dormitories, fraternities, sororities, monasteries, convents, or residential care facilities, nor does it include such commercial group living arrangements as boarding houses, hotels, or motels. For this term, single housekeeping unit means the functional equivalent of a traditional family, whose members:~~

~~1. Are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common areas;~~

~~2. Share household activities and responsibilities such as meals, chores, household maintenance, and expenses; and~~

~~3. If the dwelling unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household occupying the dwelling unit is determined by the residents of the dwelling unit rather than the landlord or property manager.~~

...

Farmworker Housing. The following terms are defined solely for Section 22.140.230 (Farmworker Housing):

Farmworker. An agricultural employee as defined in ~~Section~~ section 1140.4(b) of the California Labor Code.

~~Farmworker dwelling unit. A single-family residential unit that accommodates five or six farmworkers at any one time and shall be occupied exclusively by these farmworkers.~~

Farmworker housing. A housing accommodation developed for and/or provided to a minimum of five farmworkers, and shall consist of any living quarters, dwelling, boarding house, tent, barracks, bunkhouse, maintenance-of-way car, mobilehome, manufactured home, recreational vehicle, travel trailer, or other housing accommodation maintained in one or more buildings and on one or more sites.

Farmworker housing shall consist of either:

1. A single-family residence for farmworkers ~~farmworker dwelling unit~~; or

2. A farmworker housing complex.

Farmworker housing complex. Farmworker housing other than a single-family residence for farmworkers ~~farmworker dwelling unit~~ that:

1. Contains a maximum of 36 beds if the ~~housing complex~~ consists of any group living quarters, such as barracks or a bunkhouse, and is occupied exclusively by farmworkers; or

2. Contains a maximum of 12 ~~residential~~ principal dwelling units, occupied exclusively by farmworkers and their households, if the ~~housing complex~~ does not consist of any group living quarters.

Single-family residence for farmworkers. A single-family residence that accommodates up to six farmworkers at any one time and is occupied exclusively by these farmworkers.

...

SECTION 15. Section 22.14.080 is hereby amended to read as follows:

22.14.080 H.

Habitable room. An enclosing subdivision in a building commonly used for sleeping, living, cooking, or dining purposes, excluding closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage space, cellars, utility rooms, garages, carports, sheds, agricultural accessory structures, and similar spaces, that meets the “minimum room area” specified in section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations). ~~For applying parking space requirements:~~

~~1. If any of the above-mentioned rooms or spaces equals or exceeds 90 square feet of floor area, and could be used for living or sleeping purposes, such room or space shall be considered a habitable room; or~~

~~2. If any room or space equals or exceeds 150 square feet of floor area and is designed to be capable of being used for both cooking and living, living and sleeping, or cooking and sleeping purposes, such room or space shall be considered as two habitable rooms. A bachelor or efficiency apartment is exempt from this calculation. Floor area shall be measured as clear floor space, exclusive of fixed or built-in cabinets or appliances.~~

...

SECTION 16. Section 22.14.090 is hereby amended to read as follows:

22.14.090 I.

...

Income.

Acutely low income. An annual income for a household which does not exceed 15 percent of the area median income, as specified by section 50063.5 of the California Health and Safety Code.

...

SECTION 17. Section 22.14.110 is hereby amended to read as follows:

22.14.110 K.

Kitchen. A room or space used, intended, or designed for cooking or the preparation of food, or that contains a bar sink or gas, electrical, or water outlets used, intended, or designed for cooking facilities, and may contain an accessory cooking area.

Accessory cooking area. A secondary space for cooking within a kitchen, accessible only through the main portion of a kitchen in a dwelling unit and may be separated from the main portion of a kitchen with the use of a door or a partition.

SECTION 18. Section 22.14.130 is hereby amended to read as follows:

22.14.130 M.

...

Major Projects Review Trust Funds. The following terms are defined solely for Chapter 22.262 (Major Projects Review Trust Funds):

Major projects. Any project so determined by the Director for which the planning or processing of requests for entitlements will impact County departmental resources.

Manufactured home. As defined in section 18007 of the California Health and Safety Code.

...

Mixed use development. A development that combines residential and commercial uses, unless otherwise specified.

Mobilehome. As defined in section 18008, ~~or a manufactured home as defined in section 18007, of the California Health and Safety Code. This term includes "supportive housing" and "transitional housing."~~

...

Multi-family housing. A building, portion thereof, or buildings with a total of two or more principal dwelling units, or a multifamily manufactured home as defined in section 18008.7 of the California Health and Safety Code on a permanent foundation approved

by the Director of Public Works. This term includes “multi-family residences,”
“supportive housing,” and “transitional housing.”

Apartment house. A building, ~~or a portion of a building, that is designed or~~
~~used for occupancy by three or more families living independently of each other, and~~
~~contains~~ that is not a townhouse containing three or more principal dwelling units. For
example, see Figure 22.14.130-A, below. The following are the types of principal
dwelling units in an apartment house:

1. Studio. A principal dwelling unit that is one of the following:

4-a. Apartment, bachelor. A principal dwelling unit that
combines sleeping, living, cooking, and dining facilities into one habitable room; ~~or. This~~
~~term includes “light housekeeping room.”~~

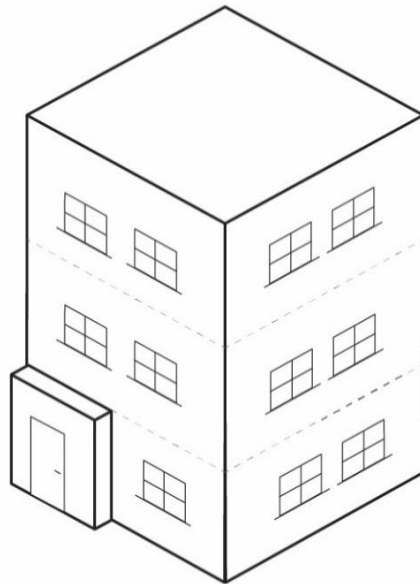
2-b. Apartment, efficiency. A principal dwelling unit that
combines sleeping, living, cooking, and dining facilities into two habitable rooms, only
one of which shall be a kitchen; ~~This term includes “single apartment” and “efficiency~~
~~living unit.”~~

3-2. Apartment, one-bedroom. A principal dwelling unit that
contains ~~a maximum of three~~ habitable rooms, only one of which shall be a kitchen; ~~;~~

4-3. Apartment, two or more bedrooms. A principal dwelling unit
that contains more than three habitable rooms, only one of which shall be a kitchen; ~~;~~
and

4. Shared housing unit, where the apartment house is a shared
housing building.

FIGURE 22.14.130-A: APARTMENT HOUSE



Multiple detached dwelling units on a lot. Two or more detached principal dwelling units located on one lot, each of which is subject to the same development standards for single-family residences as provided in this Title 22 except as specified otherwise. This term does not include “mobilehome park.” For example, see Figure 22.14.130-B, below.

FIGURE 22.14.130-B: MULTIPLE DETACHED DWELLING UNITS ON A LOT



~~Townhouse. A single-family dwelling unit sharing a common wall with other single-family dwelling units on one or two sides and capable of being placed on a separate lot.~~ A building containing two or more principal dwelling units, in which each principal dwelling unit extends from foundation to roof, shares a common wall with other principal dwelling units on at least one but no more than two sides. This term includes "row house." For example, see Figures 22.14.130-C and 22.14.130-D, below.

FIGURE 22.14.130-C: TOWNHOUSE CONTAINING
TWO PRINCIPAL DWELLING UNITS

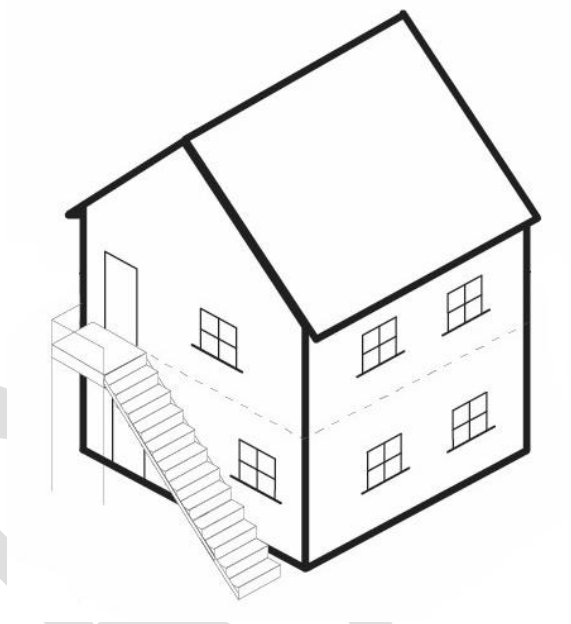


FIGURE 22.14.130-D: TOWNHOUSE CONTAINING
SIX PRINCIPAL DWELLING UNITS



Two-family residence. A building that is not a townhouse containing two principal dwelling units, ~~other than a single family residence with an attached accessory dwelling unit~~. This term includes "duplex." For example, see Figure 22.14.130-E, below.

FIGURE 22.14.130-E: TWO-FAMILY RESIDENCE



...

SECTION 19.

Section 22.14.160 is hereby amended to read as follows:

22.14.160

P.

...

Porch (Type).

Projecting porch. A projecting porch is designed to fully or partially extend beyond the predominant façade or wall plane of a residential building.

Engaged porch. An engaged porch is designed to align with the predominant façade or exterior wall plane of a residential building.

Forecourt. A residential forecourt is a ground level open space, located adjacent to the primary façade in front of the primary entrance, often framed by the residential building walls, freestanding walls, fences, and planting areas.

Porte-cochere. A porte-cochere is a covered vehicular entrance attached to a primary residence, often creating a primary entrance.

Portico porch. A portico porch is a subset of a projecting porch that features a covered and fully enclosed porch entrance supported by columns or piers that creates a predominant massing or building form along a façade.

Stoop. A stoop is a small staircase leading to an entrance of a residential building.

Wrap-around porch. A wrap-around porch is a covered engaged or projecting porch connected along at least two sides of a residential building.

Principal dwelling unit. See “Dwelling unit, principal.”

...

SECTION 20. Section 22.14.180 is hereby amended to read as follows:

22.14.180 R.

...

Requests for Reasonable Accommodation. The following terms are defined solely for Chapter 22.182 (Requests for Reasonable Accommodation):

...

Reasonable accommodation. A waiver or modification to regulations, policies, procedures, and standards that is both reasonable and necessary for a person with a disability to have an equal opportunity to use and enjoy a residential use.

Examples of reasonable accommodation include, if reasonable and necessary, allowing a wheelchair ramp in a required setback, allowing an increase in building height to permit an elevator installation, or allowing an applicant additional time to submit material.

Residential use. Any dwelling as defined by section 3602(b) of the U.S. Public Health and Welfare Code. 42 U.S. Code. Section 3602(b), ~~as that Section may be amended from time to time.~~

Required lot area. See Section 22.110.130.A (Required Area).

Residential Care Facilities. This term includes “adult residential facilities,” “group homes for children,” “small family homes for children,” and “foster family homes,” ~~as these uses are defined in section 1500 et seq., of the California Health and Safety Code.~~

...

SECTION 21. Section 22.14.190 is hereby amended to read as follows:

22.14.190 S.

...

Sensitive use. A land use where individuals are most likely to reside or spend time, including dwelling units, schools and school yards - including trade schools, public and private schools, faith-based and secular schools, parks, playgrounds, daycare centers, preschools, nursing homes, hospitals, licensed care facilities, shelters, and daycares or preschools as accessory to a place of worship, that are permitted in the zones where they are located. A sensitive use shall not include a caretaker residence or a legal, nonconforming residence in an industrial zone.

Shared housing building. A residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. A shared housing building may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.

Shared housing unit. One or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, meets the “minimum room area” specified in section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in section R202 of the California Residential Code. For the purposes of a residential care facility for the elderly, as defined in section 1569.2 of the California Health and Safety Code, this term includes a unit without an individual kitchen where a unit may be shared by unrelated persons, and a unit where a room that may be shared by unrelated persons meets the “minimum room area” specified in section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations).

...

Single-family residence. A building that contains one principal dwelling unit, ~~a mobilehome comprising one dwelling unit manufactured and certified under the National Mobilehome Construction and Safety Standards Act of 1974 (1974 Mobilehome Act) on~~

~~a permanent foundation system approved by the Director of Public Works, or a manufactured home constructed on or after June 15, 1976. This term includes "supportive housing" and "transitional housing."~~ or one of the following on a permanent foundation approved by the Director of Public Works:

1. A manufactured home as defined in section 18007 of the California Health and Safety Code; or

2. A mobilehome as defined in section 18008 of the California Health and Safety Code.

Except as specified otherwise in this Title 22, this term refers to one single-family residence on a fee-simple lot with no other principal dwelling units. This term includes "supportive housing" and "transitional housing."

...

SECTION 22. Section 22.14.200 is hereby amended to read as follows:

22.14.200 T.

Target population. As defined in section 65582(i) of the California Government Code for Section 22.128.100 (Supportive Housing) or as defined in section 50675.14 of the California Health and Safety Code for Section 22.128.200 (Supportive Housing Streamlining), Section 22.130.200 (Motel Conversions, Permanent), and Section 22.140.660 (Motel Conversions, Temporary).

...

SECTION 23. Section 22.16.030 is hereby amended to read as follows:

22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and

W.

...

C. Use Regulations.

1. Principal Uses. Table 22.16.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
...						
Residential Uses						
...						
Farmworker housing ¹⁶						
Farmworker dwelling units	SPR	SPR	-	-	-	Section 22.140.230
Farmworker housing complexes ²⁰	SPR	SPR	-	-	-	Section 22.140.230
<u>Single-family residences for farmworkers</u>	<u>SPR</u>	<u>SPR</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>Section 22.140.230</u>
...						
Mobilehome parks ^{16,21}	CUP	CUP	-	CUP	-	Sections 22.140.370, 22.140.520
...						
Small family homes for children	P	P	P	P	P	

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
Townhouses¹⁶	CUP	CUP	-	CUP	-	Sections 22.140.520, 22.140.600
...						
Notes: ... 19. Soil amendment processing, chipping and grinding, mulching, and green waste processing shall not be permitted as accessory uses to vermiculture composting. <u>20. Use may also be subject to a tentative, final or parcel map if it is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions), or a common interest development as defined in section 4100 of the California Civil Code.</u> <u>21. Use may also be subject to a tentative, final or parcel map if it is a mobile home division of land pursuant to Section 21.24.390 (Mobilehome Divisions of Land).</u>						

2. Accessory Uses. Table 22.16.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
...						
Room rentals ⁶	P	P	-	-	-	
...						

TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES

	A-1	A-2	O-S	R-R	W	Additional Regulations
Notes: ... 5. Use permitted when operated in conjunction with, and intended to serve the patrons of, a use permitted in the zone, but not as a separate enterprise. 6. Rooms in a single family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single family residence used as transitional housing may be rented to more than four residents. <u>Room rentals are permitted only in a dwelling unit that is not used as a residential care facility, a residential substance use recovery facility, supportive housing, or transitional housing, in which case rooms in the dwelling unit may be rented to four or fewer residents.</u> ...						

SECTION 24.

Section 22.18.030 is hereby amended to read as follows:

22.18.030

Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

...

C. Use Regulations.

1. Principal Uses. Table 22.18.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES

	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
Residential Uses							
...							
Farmworker housing ⁸							
Farmworker dwelling units	SPR	SPR	SPR	SPR	SPR	-	Section 22.140.230
Farmworker housing complexes, in compliance with Section 22.140.230.E.1	-	-	-	SPR	SPR	-	Section 22.140.230
Farmworker housing complexes, in compliance with Section 22.140.230.E.2	-	-	-	CUP	CUP	-	Section 22.140.230
Farmworker housing complexes ¹⁵	SPR	CUP	CUP	SPR ¹⁶ / CUP ¹⁷ -	SPR ¹⁸ / CUP ¹⁷ -	-	Section 22.140.230
<u>Single-family residences for farmworkers</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	-	<u>Section 22.140.230</u>
...							
Mobilehome parks ^{8,19}	CUP	CUP	CUP	CUP	CUP	CUP	Sections 22.140.370, 22.140.520
Multi-family housing ^{8,15}							

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
Apartment houses	-	-	SPR ^{4, 10, 11} / CUP ⁵	SPR	SPR	SPR	Section 22.140.520
<u>Multiple detached dwelling units on a lot</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	-	<u>Sections 22.140.520, 22.140.580</u>
Townhouses	<u>SPR ²³ / CUP ⁹</u>	<u>SPR ²³ / CUP ⁹</u>	<u>SPR ^{4, 9, 20, 21, 23} / CUP ^{5, 22}</u>	SPR ⁹	SPR ⁹	SPR ⁹	Sections 22.140.520, 22.140.600
...							
Notes: ... 8. Use may also be subject to Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits). 9. No more than six townhouses <u>principal dwelling units</u> shall be confined within a single building. ... 14. Also subject to Section 22.364.060.F.2, if use is in the Metro Planning Area Standards District. <u>15. Use may also be subject to a tentative, final or parcel map if it is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions), or a common interest development as defined in section 4100 of the California Civil Code.</u> <u>16. Subject to Section 22.140.230.E.1.a (Ministerial Site Plan Review).</u> <u>17. Subject to Section 22.140.230.E.2 (Conditional Use Permit).</u> <u>18. Subject to Section 22.140.230.E.1.b (Ministerial Site Plan Review).</u> <u>19. Use may also be subject to a tentative, final or parcel map if it is a mobile home division of land pursuant to Section 21.24.390 (Mobilehome Divisions of Land).</u> <u>20. Where two principal dwelling units are confined within a single building.</u> <u>21. Where three to six principal dwelling units are confined within a single building and the lot meets the criteria specified in Note 4, above.</u>							

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
<u>22. Where three to six principal dwelling units are confined within a single building and the lot does not meet the criteria specified in Note 4, above.</u> <u>23. Where use is subject to Section 22.128.200 (Supportive Housing Streamlining) and Chapter 22.166 (Housing Permits) and no more than six principal dwelling units are confined within a single building.</u>							

2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Room rentals ²	P	P	P	P	P	P	
...							
Notes: 1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone. 2. Rooms in a single family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single family residence used as transitional housing may be rented to more than four residents. <u>Room rentals are permitted only in a dwelling unit that is not used as a residential care facility, a residential substance use recovery facility, supportive housing, or transitional housing, in which case rooms in the dwelling unit may be rented to four or fewer residents.</u> ...							

SECTION 25. Section 22.20.030 is hereby amended to read as follows:

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Residential Uses								
...								
Farmworker housing ²⁵								
Farmworker dwelling units	SPR	SPR	SPR	SPR	CUP	-	SPR	Section 22.140.230
Farmworker housing complexes ³⁷	SPR	SPR	SPR	SPR	CUP	-	SPR	Section 22.140.230
<u>Single-family residences for farmworkers</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>CUP</u>	-	<u>SPR</u>	<u>Section 22.140.230</u>
...								
Joint live and work units ^{25, 27, 37}	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	CUP	SPR ¹⁸ / CUP ²⁶	-	Sections 22.140.320, 22.140.520

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
Mixed use developments ^{25, 27, 37}	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	SPR ¹⁸ / CUP ²⁶	CUP	SPR ¹⁸ / CUP ²⁶	-	Sections 22.140.350, 22.140.520
Mobilehome parks ^{25, 38}	CUP	CUP	CUP	CUP	CUP	-	-	Sections 22.140.370, 22.140.520
Multi-family housing ^{25, 37}								
Apartment houses	SPR ^{18, 29, 30} / CUP ²⁶	SPR ^{18, 29, 30} / CUP ²⁶	SPR ^{18, 29, 30} / CUP ²⁶	SPR ^{18, 29, 30} / CUP ²⁶	SPR ^{29, 30} / CUP	SPR ^{18, 29, 30} / CUP ²⁶	-	Section 22.140.520
Multiple detached dwelling units on a lot	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ²⁹ / CUP	SPR ^{18, 29} / CUP ²⁶	-	Sections <u>22.140.520</u> , <u>22.140.580</u>
Townhouses ²⁸	SPR ^{18, 28, 29} / CUP ²⁶	SPR ^{18, 28, 29} / CUP ²⁶	SPR ^{18, 28, 29} / CUP ²⁶	SPR ^{18, 28, 29} / CUP ²⁶	SPR ²⁹ / CUP	SPR ^{18, 28, 29} / CUP ²⁶	-	Sections 22.140.520, 22.140.600
Two-family residences	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ^{18, 29} / CUP ²⁶	SPR ²⁹ / CUP	-	-	Section 22.140.520
...								
Notes: ... 18. The lot shall be: 1) outside of a Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety; 2) outside of the Coastal Zone, as defined in Division 2 (Definition), in its entirety; 3) outside of a Significant Ecological Area, as depicted in the General Plan, in its entirety; 4) outside of a Hillside Management Area, as depicted in the General Plan, in its entirety; 5) outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety; 6) served by a public water system; 7) served by a public sewer system; and 8) fronting a highway or a public street.								

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
26. Where the lot does not meet the criteria specified in Note 18, above.								
27. Use is limited to developments with two or more attached <u>principal</u> dwelling units.								
28. No more than six townhouses <u>principal dwelling units</u> shall be confined within a single building.								
29. Where use is subject to Section 22.128.200 (Supportive Housing Streamlining) and Chapter 22.166 (Housing Permits).								
...								
36. In the Metro Planning Area Standards District and subject to Section 22.364.060.F.2.								
37. Use may also be subject to a tentative, final or parcel map if it is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions), or a common interest development as defined in section 4100 of the California Civil Code.								
38. Use may also be subject to a tentative, final or parcel map if it is a mobile home division of land pursuant to Section 21.24.390 (Mobilehome Divisions of Land).								

2. Accessory Uses. Table 22.20.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Room rentals ⁶	P	P	P	P	P	P	P	
...								
Notes:								
...								
5. Use is permitted only in conjunction with, and intended to, serve the patrons of a use permitted in the zone, but not as a separate enterprise.								
6. Rooms in a single family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single family residence used as transitional housing may be rented to more than four								

residents. Room rentals are permitted only in a dwelling unit that is not used as a residential care facility, a residential substance use recovery facility, supportive housing, or transitional housing, in which case rooms in the dwelling unit may be rented to four or fewer residents.

...

SECTION 26. Section 22.20.050 is hereby amended to read as follows:

22.20.050 Development Standards for Zones C-H, C-1, C-2, C-3, and C-M.

A. Required Yards. Except as specified otherwise, Table 22.20.050-A, below, identifies the minimum yard depths for various development types in Zones C-H, C-1, C-2, C-3, and C-M as follows:

TABLE 22.20.050-A: MINIMUM YARD DEPTHS FOR COMMERCIAL ZONES						
Development Types	Zones	Front	Corner Side	Corner Side - Reversed Corner Lot	Interior Side	Rear
...						
Mixed Use	C-H, C-1, C-2, C-3 and C-M	N/A	N/A	N/A	See Section 22.140.350.A.65.h	
...						

...

SECTION 27. Section 22.22.030 is hereby amended to read as follows:

22.22.030 Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.

...

C. Use Regulations.

1. Principal Uses. Table 22.22.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES					
	M-1	M-1.5	M-2	M-2.5	Additional Regulations
...					
Residential uses					
Mobilehome parks ^{20,22}	CUP	-	CUP	-	Sections 22.140.370, 22.140.520
...					
Notes:					
...					
21. Any legally permitted, existing landfill in M-1 Zone that was permitted with a CUP may continue to be permitted with a CUP upon expiration as long as there is no pause in operation or use for a period greater than three months.					
<u>22. Use may also be subject to a tentative, final or parcel map if it is a mobile home division of land pursuant to Section 21.24.390 (Mobilehome Divisions of Land).</u>					

...

E. Prohibited Uses. The following uses are prohibited in Zones M-1, M-1.5, M-2, and M-2.5:

...

7. Farmworker dwelling units and housing complexes.

...

SECTION 28. Section 22.24.030 is hereby amended to read as follows:

22.24.030 Land Use Regulations for Rural Zones.

...

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
...			
Residential Uses			
...			
Farmworker housing ¹³			
Farmworker dwelling units	SPR	SPR	Section 22.140.230
Farmworker housing complexes ¹⁸	SPR	SPR	Section 22.140.230
<u>Single-family residences for farmworkers</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.230</u>
...			
Joint live and work units ^{13, 14, 18}	SPR	SPR	Sections 22.140.320, 22.140.520
Mixed use developments ^{13, 14, 18}			Section 22.140.520
Single-family residences	SPR ¹	-	Sections 22.140.520, 22.140.580
Mixed use developments, vertical or horizontal ^{13, 14, 18}			
...			
Apartment houses, more than five units	-	CUP	Sections 22.140.360, 22.140.520

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
<u>Multiple detached dwelling units on a lot</u>	-	<u>SPR</u>	Sections 22.140.360, 22.140.520, 22.140.580
Single-family residences	-	SPR	Sections 22.140.360, 22.140.520, 22.140.580
Townhouses ¹⁷	-	SPR	Sections 22.140.360, 22.140.520
...			
Mobilehome parks ^{13,19}	CUP	CUP	Sections 22.140.370, 22.140.520
Multi-family housing ^{13,18}			Section 22.140.520
...			
Notes: ... 16. Use permitted on lots outside of the Very High Fire Hazard Severity Zone, as depicted in the General Plan, in its entirety, and where use is subject to Section 22.130.200 (Motel Conversions, Permanent) and Chapter 22.166 (Housing Permits). <u>17. No more than six principal dwelling units shall be confined within a single building.</u> <u>18. Use may also be subject to a tentative, final or parcel map if it is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions), or a common interest development as defined in section 4100 of the California Civil Code.</u> <u>19. Use may also be subject to a tentative, final or parcel map if it is a mobile home division of land pursuant to Section 21.24.390 (Mobilehome Divisions of Land).</u>			

2. Accessory Uses. Table 22.24.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
...			
Room rentals ⁴	P	P	
...			
Notes: ... 3. Use is permitted within an enclosed building only. 4. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents. <u>Room rentals are permitted only in a dwelling unit that is not used as a residential care facility, a residential substance use recovery facility, supportive housing, or transitional housing, in which case rooms in the dwelling unit may be rented to four or fewer residents.</u>			

...

SECTION 29. Section 22.24.040 is hereby amended to read as follows:

22.24.040 Development Standards for Rural Zones.

...

G. Screening. In Zones C-RU and MXD-RU, all mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping. Trash and recycling containers shall conform Section 22.140.350.A.5.f 7.e (Trash/Recycling).

...

SECTION 30. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principal Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Lodging		
Hotels	CUP	
...		
Residential Uses		
...		
Joint live and work units ^{7, 8, 11}	SPR	Sections 22.140.320, 22.140.520
Mixed use developments with residential and commercial components ^{7, 8, 11}	SPR	Sections 22.140.520, 22.140.580
Multi-family housing ^{7, 11}		
Apartment houses ⁷	SPR	Section 22.140.520
<u>Multiple detached dwelling units on a lot</u>	<u>SPR</u>	<u>Sections 22.140.520, 22.140.580</u>

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
Townhouses ⁷⁻¹²	SPR	Section 22.140.520
Two-family residences ⁴	SPR	Section 22.140.520
...		
Notes: ... 7. Use may also be subject to Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits). 8. Use is limited to developments with two or more attached <u>principal</u> dwelling units. 9. Outside of the Metro Planning Area Standards District. 10. In the Metro Planning Area Standards District and subject to Section 22.364.060.F.2. <u>11. Use may also be subject to a tentative, final or parcel map if it is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions), or a common interest development as defined in section 4100 of the California Civil Code.</u> <u>12. No more than six principal dwelling units shall be confined within a single building.</u>		

ii. Table 22.26.030-C, below, identifies the permit or review required to establish each principal use. These uses may be established in commercial-only development projects or properties.

TABLE 22.26.030-C: PRINCIPAL LAND USE REGULATIONS FOR ZONE MXD IN COMMERCIAL-ONLY DEVELOPMENT PROJECTS OR PROPERTIES		
		Additional Regulations
...		
Lodging Uses		

TABLE 22.26.030-C: PRINCIPAL LAND USE REGULATIONS FOR ZONE MXD IN COMMERCIAL-ONLY DEVELOPMENT PROJECTS OR PROPERTIES		
		Additional Regulations
<u>Hotels</u>	<u>CUP</u>	
Motels	CUP	
...		

b. Accessory Uses. Table 22.26.030-D, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
<u>Room rentals</u> ²	<u>P</u>	
...		
Notes: 1. Use permitted on lots located outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety. 2. <u>Room rentals are permitted only in a dwelling unit that is not used as a residential care facility, a residential substance use recovery facility, supportive housing, or transitional housing, in which case rooms in the dwelling unit may be rented to four or fewer residents.</u>		

...

SECTION 31. Section 22.112.070 is hereby amended to read as follows:

22.112.070

Required Parking Spaces.

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES		
Use		Number of Spaces
...		
Residential Uses ⁴		
	...	
	Adult residential facility	1 space per staff member on the largest shift and 1 space per vehicle used directly for the business.
	...	
	Group homes for children	1 space per staff member on the largest shift and 1 space per vehicle used directly for the business.
	...	
	Junior accessory dwelling units	No spaces required.
	<u>Multiple detached dwelling units on a lot</u>	<u>2 covered standard spaces per unit.</u>
	<u>Residential care facility</u> ¹⁵	<u>1 space per staff member on the largest shift and 1 space per vehicle used directly for the facility.</u>
	<u>Residential substance use recovery facility</u> ¹⁵	<u>1 space per staff member on the largest shift and 1 space per vehicle used directly for the facility.</u>
	...	
Notes:		
...		
14.. Apartments with 11 or more dwelling units and all developments with 11 or more joint live and work units seeking reduction in required parking spaces shall provide Transportation Demand Management measures, as provided in Section 22.112.130, below.		

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES	
Use	Number of Spaces
15. <u>Facilities with seven or more residents only. Facilities with six or fewer residents shall be subject to the parking standards applicable to the residential buildings in which the facilities are located.</u>	

...

SECTION 32. Chapter 22.119 headings are hereby amended to read as follows:

Chapter 22.119 Affordable Housing Replacement.

Sections:

...

22.119.050 General Requirements.

22.119.060 Replacement Requirements for Logistics Uses.

SECTION 33. Section 22.119.030 is hereby amended to read as follows:

22.119.030 Applicability.

Except as otherwise specified in this Chapter or Section 21.16.100 (Affordable Housing Replacement) of Title 21, the provisions of this Chapter, in conjunction with Chapter 22.166 (Housing Permits), apply to any of the following:

- A. New construction of any principal building;
- B. A change of a principal residential use to another principal use;
- C. A change in the number of principal dwelling units;
- D. A subdivision ~~land division~~ subject to Title 21 (Subdivisions) ~~of the County Code~~; or
- E. Legalization of an existing unpermitted principal dwelling unit.

SECTION 34. Section 22.119.040 is hereby amended to read as follows:

22.119.040 Exemptions.

In addition to the exemption provided in Section 21.16.100.B (Exemption) of Title 21, the requirements of this Chapter shall not apply to any of the following: ~~The following are exempt from the requirements of this Chapter:~~

A. ~~New construction of~~ A development project consisting of one ~~a single-family residence on a lot with no other principal uses or structures other than one existing single-family residence which has been or is proposed to be demolished or vacated;~~

B. New construction or legalization of accessory dwelling units or junior accessory dwelling units;

C. A caretaker residence ~~Conversion to resident ownership of all rented spaces in a mobilehome park;~~

D. Addition of mobilehome spaces or mobilehomes in a mobilehome park;

E. A farmworker housing complex containing only beds ~~A lease project, as defined in Section 21.08.090 (Lease project) in Title 21 (Subdivisions) of the County Code;~~

F. ~~A project in a Very High Fire Hazard Severity Zone, as depicted in the General Plan;~~

~~GE.~~ A project that is located within an area subject to an affordable housing replacement requirement, pursuant to a development agreement, specific plan, or local policy; or

G. A project that meets all of the following:

1. It is a use listed under the “Industrial Uses” or the “Recycling and Solid Waste Uses” categories in Table 22.22.030-B (Principal Use Regulations for Industrial Zones);

2. It is located on a lot that is entirely within a zone where residential uses are prohibited, and such prohibition was adopted prior to January 1, 2022; and

3. The dwelling units that are proposed to be or have been demolished or vacated on the lot where the project is located are or were nonconforming uses.

SECTION 35. Section 22.119.050 is hereby amended to read as follows:

22.119.050 General Requirements.

A. Units Requiring Replacement. Except as specified otherwise, dwelling ~~Dwelling~~ units that are proposed to be or have been demolished, vacated, or converted from rental to for sale through a subdivision pursuant to Title 21 (Subdivisions), shall be replaced with dwelling units that are set at an affordable rent or an affordable sale price if ~~the use and density of such units are consistent with zoning or the General Plan,~~ including any applicable Area, Community, or Neighborhood Plan, as set forth in ~~Section 22.02.050 (Consistency with the General Plan), and are or were any of the~~ following applies:

1. Covenanted. The dwelling units are or were ~~subject~~ Subject to a recorded covenant that restricts rents to levels affordable to persons and families of moderate, lower, very low, ~~or extremely low,~~ or acutely low income within the five years prior to complete application submittal;

2. Occupied by Households of Lower Income or Below. The rental dwelling units are or were occupied by lower, very low, extremely low, or acutely low income households, including mobilehome owners renting spaces in a mobilehome park, within the five years prior to complete application submittal;

23. Rent-stabilized. The dwelling units are or were rent-stabilized A rent-stabilized unit pursuant to Section Chapter 8.52.030.F (Covered Rental Unit Rent Stabilization and Tenant Protections) in of Title 8 (Consumer Protection, Business and Wage Regulations) of the County Code or pursuant to section 1947.12 of the California Civil Code within the five years prior to complete application submittal; or

3. ~~Occupied by lower, very low or extremely low income tenants, including mobilehome owners renting spaces in a mobilehome park, within the five years prior to application submittal;~~

4. Withdrawn from Rental Market. The dwelling units were withdrawn Withdrawn from rent or lease within the 10 years prior to complete application submittal, or will be withdrawn from rent or lease prior to the demolition or conversion from rental to for sale, in accordance with Chapter 12.75 (commencing with section 7060) of the California Government Code within the 10 years prior to application submittal.

B. Number and Type of Affordable Replacement Units. The number and type of affordable replacement units required by this Section shall be determined as specified in Table 22.119.050-A, below follows:

TABLE 22.119.050-A: NUMBER AND TYPE OF AFFORDABLE REPLACEMENT UNITS		
<u>Units to be Replaced</u>		<u>Number and Type of Affordable Replacement Units</u>
<u>Subject to Subsection of Section 22.119.050</u>	<u>Not Subject to Subsection of Section 22.119.050</u>	
<u>A.1 (Covenanted)</u>	=	
<u>A.2 (Occupied by Households of Lower Income or Below)</u>	<u>A.1 (Covenanted)</u>	<u>One-to-one replacement at the same or deeper level of affordability.</u>
<u>A.3 (Rent-stabilized)</u>	<u>A.2 (Occupied by Households of Lower Income or Below)</u>	<u>One-to-one replacement at lower, very low, extremely low, or acutely low income level if the household income is/was moderate or above moderate.</u> <u>If the income level of households is unknown,¹ same proportion of the following renter households to all renter households in the unincorporated areas:²</u> - <u>Project with at least 5 principal dwelling units:³ Extremely low, very low, and lower income.^{4, 5}</u> - <u>Project with 4 or less principal dwelling units:⁶ Very low and lower income.⁷</u>
<u>A.4 (Withdrawn from Rental Market)</u>	<u>A.1 (Covenanted), A.2 (Occupied by Households of Lower Income or Below), or A.3 (Rent-stabilized)</u>	<u>No replacement required if the household income was moderate or above moderate.</u> <u>If the income level of households is unknown,¹ same proportion of the following renter households to all renter households in the unincorporated areas:²</u> - <u>Project with at least 5 principal dwelling units:³ Extremely low, very low, and lower income.^{4, 5}</u> - <u>Project with 4 or less principal dwelling units:⁶ Very low and lower income.⁷</u>
<u>Notes:</u> <u>1. For any of the following:</u> <u>a. The current household in occupancy at the time of complete application submittal;</u> <u>b. The last household in occupancy, if a unit is unoccupied at the time of complete application submittal; or</u>		

TABLE 22.119.050-A: NUMBER AND TYPE OF AFFORDABLE REPLACEMENT UNITS		
Units to be Replaced		Number and Type of Affordable Replacement Units
Subject to Subsection of Section 22.119.050	Not Subject to Subsection of Section 22.119.050	
c. <u>The households at the highpoint of such units that existed in the five years prior to complete application submittal, if the units have been vacated or demolished.</u> 2. <u>As determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. The proportions by income level shall be calculated on a per-project basis. Calculations resulting in fractional numbers shall be rounded up to the next whole number.</u> 3. <u>Inclusive of any existing principal dwelling units to remain and exclusive of any additional units awarded by a density bonus.</u> 4. <u>If only one affordable replacement unit is required, the applicant may choose to replace it with an extremely low, very low, or lower income unit.</u> 5. <u>If two affordable replacement units are required, the applicant may choose to replace them with units affordable to households of extremely low, very low, or lower income, provided that the two affordable replacement units shall have different levels of affordability.</u> 6. <u>Inclusive of any existing principal dwelling units to remain.</u> 7. <u>If only one affordable replacement unit is required, the applicant may choose to replace it with a very low or lower income unit.</u>		

1. ~~The number of affordable replacement units for lower or very low income households shall be determined in accordance with section 65915 of the California Government Code;~~

2. ~~Affordable replacement units for lower or very low income households shall be provided at the level of affordability determined in accordance with section 65915 of the California Government Code;~~

~~3. Affordable replacement units for extremely low income households shall be provided in at least the same number as existed on the site within the five years prior to application submittal, or in the same proportion of extremely low income renter households to all renter households within unincorporated County, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database, if the income category is unknown for any of the following:~~

~~a. The current household in occupancy at the time of application submittal;~~

~~b. The last household in occupancy, if a unit is unoccupied at the time of application submittal; or~~

~~c. The households at the highpoint of such units that existed in the five-year period preceding application, if the units have been vacated or demolished.~~

~~4. Dwelling units that are or were rent stabilized pursuant to Section 8.52.030.F (Covered Unit) in Title 8 (Consumer Protection, Business and Wage Regulations) of the County Code or section 1947.12 of the California Civil Code during the five-year period prior to application submittal, and were or are occupied by households above lower income, shall be replaced with units affordable to lower, very low, or extremely low income households;~~

~~5. At least the same total number of dwelling units and at least the same total number of bedrooms shall be replaced at the same or deeper level of affordability;~~

6. ~~The required number of affordable replacement units shall not be reduced as the result of the deeper level of affordability of the affordable replacement units;~~

7. ~~Affordable replacement units affordable to lower, very low or extremely low income households shall be rental dwelling units; and~~

8. ~~Units subject to a covenant that restricts rents to levels affordable to moderate income households shall be replaced with units that are affordable to households of moderate income or below moderate income. If they are replaced with units affordable to households of moderate income, the affordable replacement units may be rental or for sale.~~

C. Rules and Calculation. ~~Inclusionary Housing or Density Bonus. Affordable replacement units required in this Chapter may count toward the affordable housing set-aside units required in Chapter 22.120 (Density Bonus) or Chapter 22.121 (Inclusionary Housing), if applicable.~~

1. No Reduction in the Number of Affordable Replacement Units. The required number of affordable replacement units shall not be reduced as a result of the deeper level of affordability of the affordable replacement units.

2. Bedroom Count in Affordable Replacement Units. Except as specified otherwise in Section 22.119.060 (Replacement Requirements for Logistics Uses), all affordable replacement units shall be subject to the following:

a. An affordable replacement unit shall have at least the same number of bedrooms as the unit to be replaced, with the following exceptions:

i. If the unit to be replaced is a detached principal dwelling unit with four or more bedrooms, the affordable replacement unit shall contain at least three bedrooms, provided that the same total number of bedrooms shall be replaced at the required affordability levels project-wide; and

ii. Notwithstanding Subsection C.2.a.i, above, if all units exclusive of the manager's unit in a project are for households of lower income or below, and one or more funding source of the project has unit size limitations or other requirements that would preclude each affordable replacement unit from containing the same number of bedrooms as the unit to be replaced, the unit size limitations or other requirements in the funding source shall prevail, provided that the same total number of bedrooms shall be replaced at the required affordability levels project-wide.

b. If the household income level in the units to be replaced is unknown and the bedroom count in such units varies, the applicant may choose the bedroom count in each affordable replacement unit in relation to the required affordability levels, provided that the project meets the requirement in Subsection C.2.a, above.

3. Tenure. An affordable replacement unit may be rental or for sale, except that an affordable replacement unit shall be for sale only if it is in a common interest development, or on a single-family residential fee-simple lot in a subdivision.

4. Inclusionary Housing or Density Bonus. Affordable replacement units required in this Chapter may count toward the affordable housing set-aside units required in Chapters 22.120 (Density Bonus) or 22.121 (Inclusionary Housing), if applicable.

D. Location of Affordable Replacement Units.

1. On-site. Except as specified in Subsection D.2, below, affordable replacement units shall be provided on-site.

2. Off-site.

a. Affordable replacement units may be provided off-site, subject to the following:

i. The project is neither a residential nor mixed use development ~~The affordable replacement units count toward the affordable housing set-aside units required in Chapter 22.121 (Inclusionary Housing);~~

ii. The off-site lot shall be located in an unincorporated area of the County and within one-half mile of the principal project; ~~required affordable housing set-aside units are provided off-site, subject to all applicable provisions in Section 22.121.050.F (Location), except that the off-site parcel shall be located in an unincorporated area of the County and is either within one-quarter mile of the principal project or developed as part of a community land trust; and~~

iii. The off-site lot, its developable acreage, zoning and General Plan land use designation, is sufficient to permit the construction of the required affordable replacement units;

iv. Where the applicant partners with a third-party developer for the provisions of the affordable replacement units on the off-site lot, the applicant shall submit a memorandum of understanding (MOU) to the LACDA for review prior to the approval of an Administrative Housing Permit (Section 22.166.040) application. The MOU shall include the agreed upon payment or compensation that the

applicant will give to the partnering third-party developer to construct the affordable replacement units, with sworn affidavits from both parties; and

viii. The construction of such units does not result in units requiring replacement pursuant to this Chapter on the off-site lot.

3. The affordable replacement units required in this Chapter shall be subject to the same requirements as for the affordable housing set-aside units provided in Sections 22.120.050.B.3.b and 22.120.050.B.3.c (Location of Units).

~~E. Notwithstanding Subsection D, above, a project that is subject to this Chapter may provide replacement in accordance with Chapter 22.268 (Affordable Housing Replacement Fee) if it is either of the following:~~

~~1. A non-residential development; or~~

~~2. A land division that:~~

~~a. Shall result in no increase in dwelling units; and~~

~~b. Is required to provide rental replacement units pursuant to this Section.~~

~~F. Tenure. Affordable replacement units in a common interest development or a single-family residential subdivision shall be for sale only.~~

GE. Timing.

1. Income-restricted units provided pursuant to this Chapter, Chapter 22.120 (Density Bonus), or Chapter 22.121 (Inclusionary Housing), shall obtain permits and entitlements, including the building permits, and the certificates of occupancy, prior to or concurrently with any non-income-restricted units.

2. If a development subject to this Chapter is mixed use or non-residential, the affordable replacement units, whether on-site or off-site, shall obtain permits and entitlements, including the building permits, and the certificates of occupancy, prior to or concurrently with the non-residential components of the mixed use development or the non-residential development.

~~1. All permits and entitlements, including the building permits, for the affordable replacement units shall be obtained prior to or concurrently with the permits and entitlements, including the building permits, for the non-replacement units.~~

~~2. Where affordable replacement units are provided off-site, pursuant to Subsection D.2, above, such units shall obtain a certificate of occupancy from Public Works prior to the issuance of the final certificate of occupancy for the principal project.~~

~~HF.~~ Duration of Affordability.

1. Rental Units. The affordability term for a rental affordable replacement units shall be at least 99 years from the issuance of the final certificate of occupancy by Public Works unless any of the following applies, in which case the affordability term shall be 55 years from the issuance of the final certificate of occupancy by Public Works: in perpetuity.

a. The affordable replacement unit counts toward the affordable housing set-aside units required in Section 22.128.200 (Supportive Housing Streamlining); or

b. The affordable replacement unit counts toward the affordable housing set-aside units required in Chapter 22.120 (Density Bonus), is for a

lower, very low, extremely low, or acutely low income household, and will be financed with low income housing tax credits.

2. ~~For-Sale Units sale. The initial sale of the affordable replacement units shall be restricted to eligible buyers and shall require an equity sharing agreement with the County, as described in Chapter 22.166 (Housing Permits).~~ A for-sale affordable replacement unit shall be subject to the same requirements as for the for-sale affordable housing set-aside units provided in Section 22.120.050.B.1.b (For-Sale Units).

G. Comparability. The affordable replacement units required in this Chapter shall be subject to the same requirements as for the affordable housing set-aside units provided in Sections 22.120.050.B.2.b and 22.120.050.B.2.c (Comparability), where applicable.

~~H.~~ Covenant and Agreement Required. A covenant and agreement ensuring the continued availability of affordable replacement units as required by Subsection F (Duration of Affordability), above, shall be recorded, pursuant to Section 22.166.070 (Covenant and Agreement).

SECTION 36. Section 22.119.060 is hereby added to read as follows:

22.119.060 Replacement Requirements for Logistics Uses.

A logistics use as defined in section 65098 of the California Government Code shall be subject to all provisions of this Chapter with the following exceptions:

A. Units Requiring Replacement. In addition to the dwelling units listed in Section 22.119.050.A (Units Requiring Replacement), any dwelling unit that is proposed to be or has been demolished for a logistics use shall be replaced if it was occupied

within 10 years prior to complete application submittal, unless the dwelling unit was declared substandard by a building official, pursuant to section 17920.3 of the California Health and Safety Code, before the purchase by the developer of the logistics use;

B. Number and Type of Affordable Replacement Units.

1. For each dwelling unit proposed to be or has been demolished for a logistics use, two replacement units that are affordable to households of lower or moderate income shall be provided, with each of the two replacement units having at least the number of bedrooms as the unit to be replaced; and

2. Notwithstanding Subsection B.1, above, where the dwelling unit proposed to be or has been demolished is any of those listed in Section 22.119.050.A (Units Requiring Replacement), and a deeper level of affordability is required pursuant to Section 22.119.050.B (Number and Type of Affordable Replacement Units), one of the two replacement units required in this Subsection B shall be provided at the deeper level of affordability as specified in Section 22.119.050.B (Number and Type of Affordable Replacement Units); and

C. Affordable Housing Replacement Fee.

1. Eligibility. The replacement requirement specified in Subsection B.1, above, may be met in the form of an affordable housing replacement fee in lieu of the provision of affordable replacement units, subject to the following:

a. Where the dwelling unit proposed to be or has been demolished is not any of those listed in Section 22.119.050.A (Units Requiring Replacement), both replacement units may be substituted with the affordable housing replacement fee; and

b. Where the dwelling unit proposed to be or has been demolished is any of those listed in Section 22.119.050.A (Units Requiring Replacement), only one of the two required replacement units that is not subject to Subsection B.2, above, may be substituted with the affordable housing replacement fee.

2. Calculation of Fee.

a. The affordable housing replacement fee shall be calculated using the effective rate on the date a complete application for the logistics use, including all required materials specified in Section 22.222.070 (Application Filing and Withdrawal), is submitted to the Department;

b. The rate for the fee shall be applied by submarket area as specified in Table 22.268.020-A of Section 22.268.020 (Fee Rates); and

c. The fee to substitute each replacement unit shall be the applicable rate per square foot of gross building area multiplied by the gross floor area of the unit requiring replacement. If the square footage of the unit requiring replacement is not known, the applicable per-unit rate shall be the fee to substitute each replacement unit.

3. Timing of Fee Payment.

a. If no discretionary approval is associated with the logistics use, the affordable housing replacement fee shall be paid prior to approval of such use by the Department;

b. If the logistics use requires a discretionary approval other than a land division, the affordable housing replacement fee shall be paid concurrently

with fees submitted pursuant to Section 22.222.260.B (Performance Guarantee and Covenant); and

c. If the logistics use is a subdivision, the affordable housing replacement fee shall be paid at the time of submittal of the final tract map or parcel map, pursuant to Section 21.44.050 (Matters Required for Submittal) in Title 21.

SECTION 37. Section 22.120.040 is hereby amended to read as follows:

22.120.040 Eligibility

Except as specified otherwise, a project is eligible for a density bonus, if it complies with the following:

A. Minimum Dwelling Units Required.

1. A project subject to Section 22.120.050 (Affordable Housing) or Section 22.120.070 (Land Donation) shall have a minimum of five ~~baseline~~ dwelling units exclusive of any additional units awarded by a density bonus and inclusive of the following, where applicable:

a. Any existing principal dwelling units to remain;

b. Accessory dwelling units; and

c. Junior accessory dwelling units.

...

SECTION 38. Section 22.120.050 is hereby amended to read as follows:

22.120.050 Affordable Housing.

A. Density Bonus.

1. General. Except as specified otherwise, a housing development shall receive a density bonus in the amounts shown in Table 22.120.050-A, below,

subject to an Administrative Housing Permit (Section 22.166.040), if it provides an affordable housing set-aside at an affordable rent or an affordable sale price.

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES					
Set-Aside	<u>Acutely Low Income</u> (≤ 15% AMI) ¹	Extremely Low Income (≤ 30% AMI) ¹	Very Low Income (≤ 50% AMI) ¹	Lower Income (≤ 80% AMI) ¹	Moderate Income (≤ 120% AMI)
	<u>Density Bonus</u>	Density Bonus	Density Bonus	Density Bonus	Density Bonus
5%	<u>30%</u>	25%	20%	-	-
6%	<u>35%</u>	30%	22.50%	-	-
7%	<u>40%</u>	35%	25%	-	-
8%	<u>45%</u>	40%	27.50%	-	-
9%	<u>50%</u>	45%	30%	-	-
10%	<u>60%</u>	55%	32.50%	20%	5%
11%	<u>60%</u>	55%	35%	21.50%	6%
12%	<u>60%</u>	55%	35% <u>38.75%</u>	23%	7%
13%	<u>60%</u>	55%	35% <u>42.50%</u>	24.50%	8%
14%	<u>60%</u>	55%	35% <u>46.25%</u>	26%	9%
15%	<u>65%</u>	60.50%	40.50% <u>50%</u>	27.50%	10%
16%	<u>65%</u>	60.50%	40.50% <u>50%</u>	29%	11%
17%	<u>65%</u>	60.50%	40.50% <u>50%</u>	30.50%	12%
18%	<u>65%</u>	60.50%	40.50% <u>50%</u>	32%	13%
19%	<u>65%</u>	60.50%	40.50% <u>50%</u>	33.50%	14%
20%	<u>70%</u>	64%	44% <u>53.75%</u>	35%	15%
21%	<u>70%</u>	64%	44% <u>53.75%</u>	35% <u>38.75%</u>	16%
22%	<u>70%</u>	64%	44% <u>53.75%</u>	35% <u>42.50%</u>	17%
23%	<u>70%</u>	64%	44% <u>53.75%</u>	35% <u>46.25%</u>	18%
24%	<u>70%</u>	64%	44% <u>53.75%</u>	35% <u>50%</u>	19%
25%	<u>75%</u>	67.50%	47.50% <u>57.50%</u>	38.75% <u>53.75%</u>	20%
26%	<u>75%</u>	67.50%	47.50% <u>57.50%</u>	38.75% <u>53.75%</u>	21%
27%	<u>75%</u>	67.50%	47.50% <u>57.50%</u>	38.75% <u>53.75%</u>	22%
28%	<u>75%</u>	67.50%	47.50% <u>57.50%</u>	38.75% <u>53.75%</u>	23%
29%	<u>75%</u>	67.50%	47.50% <u>57.50%</u>	38.75% <u>53.75%</u>	24%
30%	<u>80%</u>	71%	51% <u>61.25%</u>	41.50% <u>57.50%</u>	25%

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES					
Set-Aside	<u>Acutely Low Income</u> (≤ 15% AMI) ¹	Extremely Low Income (≤ 30% AMI) ¹	Very Low Income (≤ 50% AMI) ¹	Lower Income (≤ 80% AMI) ¹	Moderate Income (≤ 120% AMI)
	<u>Density Bonus</u>	Density Bonus	Density Bonus	Density Bonus	Density Bonus
31%	<u>80%</u>	71%	54% <u>61.25%</u>	41.50% <u>57.50%</u>	26%
32%	<u>80%</u>	71%	54% <u>61.25%</u>	41.50% <u>57.50%</u>	27%
33%	<u>80%</u>	71%	54% <u>61.25%</u>	41.50% <u>57.50%</u>	28%
34%	<u>80%</u>	71%	54% <u>61.25%</u>	41.50% <u>57.50%</u>	29%
35%	<u>85%</u>	74.50%	54.50% <u>65%</u>	44.25% <u>61.25%</u>	30%
36%	<u>85%</u>	74.50%	54.50% <u>65%</u>	44.25% <u>61.25%</u>	31%
37%	<u>85%</u>	74.50%	54.50% <u>65%</u>	44.25% <u>61.25%</u>	32%
38%	<u>85%</u>	74.50%	54.50% <u>65%</u>	44.25% <u>61.25%</u>	33%
39%	<u>85%</u>	74.50%	54.50% <u>65%</u>	44.25% <u>61.25%</u>	34%
40% - 44%	<u>90%</u>	78%	58% <u>68.75%</u>	47% <u>65%</u>	35%
<u>41%</u>	<u>90%</u>	<u>78%</u>	<u>68.75%</u>	<u>65%</u>	35% <u>38.75%</u>
<u>42%</u>	<u>90%</u>	<u>78%</u>	<u>68.75%</u>	<u>65%</u>	35% <u>42.50%</u>
<u>43%</u>	<u>90%</u>	<u>78%</u>	<u>68.75%</u>	<u>65%</u>	35% <u>46.25%</u>
<u>44%</u>	<u>90%</u>	<u>78%</u>	<u>68.75%</u>	<u>65%</u>	35% <u>50%</u>
45% - 49%	<u>95%</u>	81.50%	61.50% <u>72.50%</u>	49.75% <u>68.75%</u>	38% <u>53.75%</u>
50% - 54%	<u>100%</u>	85%	65% <u>76.25%</u>	52.50% <u>72.50%</u>	40% <u>57.50%</u>
55% - 59%	<u>105%</u>	88.50%	68.50% <u>80%</u>	55.25% <u>76.25%</u>	42% <u>61.25%</u>
60% - 64%	<u>110%</u>	92%	72% <u>83.75%</u>	58% <u>80%</u>	44% <u>65%</u>
65% - 69%	<u>115%</u>	95.50%	75.50% <u>87.50%</u>	60.75% <u>83.75%</u>	46% <u>68.75%</u>
70% - 74%	<u>120%</u>	99%	79% <u>91.25%</u>	63.50% <u>87.50%</u>	48% <u>72.50%</u>
75% - 79%	<u>125%</u>	102.50%	82.50% <u>95%</u>	66.25% <u>91.25%</u>	50% <u>76.25%</u>

TABLE 22.120.050-A: AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES					
Set-Aside	<u>Acutely Low Income</u> (≤ 15% AMI) ¹	Extremely Low Income (≤ 30% AMI) ¹	Very Low Income (≤ 50% AMI) ¹	Lower Income (≤ 80% AMI) ¹	Moderate Income (≤ 120% AMI)
	<u>Density Bonus</u>	Density Bonus	Density Bonus	Density Bonus	Density Bonus
80% - 84%	<u>130%</u>	106% or as specified otherwise ⁴	86% <u>98.75%</u> or as specified otherwise ⁴	69% <u>95%</u> or as specified otherwise ⁴	52% <u>80%</u>
85% - 89%	<u>135%</u>	109.50% or as specified otherwise ⁴	89.50% <u>102.5%</u> or as specified otherwise ⁴	71.75% <u>98.75%</u> or as specified otherwise ⁴	54% <u>83.75%</u>
90% - 94%	<u>140%</u>	113% or as specified otherwise ⁴	93% <u>106.25%</u> or as specified otherwise ⁴	74.50% <u>102.50%</u> or as specified otherwise ⁴	56% <u>87.50%</u>
95% - 99%	<u>145%</u>	116.50% or as specified otherwise ⁴	96.50% <u>110%</u> or as specified otherwise ⁴	77.25% <u>106.25%</u> or as specified otherwise ⁴	58% <u>91.25%</u>
100%	<u>150%</u>	120% or as specified otherwise ⁴	100% <u>115%</u> or as specified otherwise ⁴	80% <u>110%</u> or as specified otherwise ⁴	60% <u>95%</u>
Notes:					
1. <u>A shared housing building development is eligible for a density bonus provided in this Table only if the set-aside is at one of these income levels. A rental housing development shall receive the following density bonus, if it has: 1) at least 80 percent affordable housing set-aside for lower, very low, or extremely low income households, with the remaining baseline dwelling units, excluding a manager's unit or units, set aside for moderate income households; 2) rents for at least 20 percent of all dwelling units, including the density bonus units but excluding the manager's unit or units, set at an affordable rent as defined in section 50053 of the California Health and Safety Code; and 3) rents for all remaining units, excluding the manager's unit or units, set at an amount consistent with the maximum rent levels for a housing development that received an allocation of State or federal low income tax credits from the California Tax Credit Allocation Committee:</u>					
a. Eighty percent of the number of dwelling units set aside for lower, very low, or extremely low income households; or					
b. Any amount of density bonus units, if the rental housing development is located within 1/2 mile of a major transit stop, in which case such development:					
i. Shall not receive any waivers or reductions of development standards provided in Section 22.120.090; and					
ii. Is entitled to a height increase of up to three additional stories, or 33 feet, which is not counted toward the incentives provided in Subsection C (Incentives), below.					

2. Additional Density Bonus. A housing development shall receive an additional density bonus in the amounts shown in Table 22.120.050-B, below, subject to an Administrative Housing Permit (Section 22.166.040), if it meets all of the following:

a. Affordable Housing Set-Aside. The housing development provides one of the following pursuant to Table 22.120.050-A, above:

- i. 15 percent very low income housing set-aside;
- ii. 24 percent lower income housing set-aside; or
- iii. 44 percent moderate income housing set-aside;

b. Additional Affordable Housing Set-Aside. The housing development provides an additional very low or moderate income housing set-aside pursuant to Table 22.120.050-B, below; and

c. Maximum Affordable Housing Set-Aside. The affordable housing set-aside and the additional affordable housing set-aside required in this Subsection A.2 combined shall not exceed 50 percent.

TABLE 22.120.050-B: ADDITIONAL AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES		
<u>Additional Set-Aside</u>	<u>Very Low Income (≤ 50% AMI)</u>	<u>Moderate Income (≤ 120% AMI) ¹</u>
	<u>Additional Density Bonus ²</u>	<u>Additional Density Bonus ²</u>
<u>5%</u>	<u>20%</u>	<u>20%</u>
<u>6%</u>	<u>23.75%</u>	<u>22.5%</u>
<u>7%</u>	<u>27.50%</u>	<u>25%</u>
<u>8%</u>	<u>31.25%</u>	<u>27.50%</u>
<u>9%</u>	<u>35%</u>	<u>30%</u>
<u>10%</u>	<u>38.75%</u>	<u>32.50%</u>
<u>11%</u>	<u>38.75%</u>	<u>35%</u>
<u>12%</u>	<u>38.75%</u>	<u>38.75%</u>
<u>13%</u>	<u>38.75%</u>	<u>42.50%</u>

TABLE 22.120.050-B: ADDITIONAL AFFORDABLE HOUSING SET-ASIDES AND DENSITY BONUSES		
<u>Additional Set-Aside</u>	<u>Very Low Income (≤ 50% AMI)</u>	<u>Moderate Income (≤ 120% AMI) ¹</u>
	<u>Additional Density Bonus ²</u>	<u>Additional Density Bonus ²</u>
<u>14%</u>	<u>38.75%</u>	<u>46.25%</u>
<u>15%</u>	<u>38.75%</u>	<u>50%</u>
<u>Note:</u> 1. Set-aside shall not be for households of lower income or below. 2. The increase provided in this Table shall be in addition to the increase in density as provided in Table 22.120.050-A (Affordable Housing Set-Asides and Density Bonuses).		

3. Density Bonus for One Hundred Percent Affordable Rental Housing Development. Notwithstanding Subsections A.1 and A.2, above, a rental housing development shall receive a density bonus in the amounts specified in Subsection A.3.b (Density Bonus), below, subject to an Administrative Housing Permit (Section 22.166.040), if it meets the affordability requirements in Subsection A.3.a (Affordability), below.

a. Affordability.

i. Affordable Housing Set-Aside. All dwelling units, including the density bonus units and any accessory dwelling units, but excluding a manager's unit or units, shall be for acutely low, extremely low, very low, or lower income households, except that up to 20 percent of all dwelling units, including the density bonus units and any accessory dwelling units, but excluding a manager's unit or units, may be for moderate income households.

ii. Affordable Rent.

(a) The rent for at least 20 percent of all dwelling units, including the density bonus units and any accessory dwelling units, but excluding a manager's unit or units, shall be set at an affordable rent as defined in section 50053(b)(1) of the California Health and Safety Code, with the rent for the remaining units excluding a manager's unit or units set at an amount consistent with the maximum rent levels for lower income households published by the California Tax Credit Allocation Committee.

(b) Notwithstanding Subsection A.3.a.ii.(a), above, the rent for all dwelling units, including the density bonus units and any accessory dwelling units, but excluding a manager's unit or units, shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee, if the rental housing development receives an award of federal or State low-income housing tax credits, tax-exempt private activity bonds or general obligation bonds, or local, State, or federal loans or grants that utilize rent and income limits determined by the California Tax Credit Allocation Committee.

b. Density Bonus. The density bonus for a rental housing development subject to this Subsection A.3 shall be as follows:

i. 80 percent of the number of pre-bonus dwelling units for acutely low, extremely low, very low, or lower income households; or

ii. Unlimited if the rental housing development is located in any of the following:

(1) One-half mile of a major transit stop; or

(2) A very low vehicle travel area.

B. Affordable Housing Set-Aside.

1. Duration of Affordability.

a. Rental Units. The affordability term for a rental affordable housing set-aside units shall be at least 99 years from the issuance of the final certificate of occupancy by Public Works unless any of the following applies, in which case the affordability term shall be 55 years from the issuance of the final certificate of occupancy by Public Works;

i. The set-aside unit is also subject to Section 22.128.200 (Supportive Housing Streamlining); or

ii. The set-aside unit is for a lower, very low, extremely low, or acutely low income household and will be financed with low income housing tax credits.

b. For-Sale Units sale. ~~The initial sale of the affordable housing set-aside units shall be restricted to eligible buyers and shall require an equity-sharing agreement with the County, as described in Chapter 22.166 (Housing Permits).~~

i. Except as specified otherwise in Subsection B.1.b.ii, below, the initial sale of an affordable housing set-aside unit shall be restricted to an income-qualified household and shall require an equity-sharing agreement with the County, as described in Chapter 22.166 (Housing Permits).

ii. If an affordable housing set-aside unit is not purchased by an income-qualified household within 180 days after the issuance of the certificate of occupancy, the affordable housing set-aside unit may be purchased by a

qualified nonprofit housing corporation. The purchase shall be made pursuant to a recorded contract that satisfies all requirements in section 402.1(a)(10) of the California Revenue and Taxation Code, and includes an affordability term of at least 45 years, a repurchase option, and an equity sharing agreement as described in Chapter 22.166 (Housing Permits).

2. Comparability. ~~Affordable housing set-aside units shall have the same number of bedrooms as the non-set-aside dwelling units. In a housing development with a variety of bedroom counts per dwelling unit, the percentage of affordable set-aside dwelling units with a particular number of bedrooms shall be equal to the percentage of non-set-aside dwelling units with the same number of bedrooms.~~

a. Affordable housing set-aside units shall have the same number of bedrooms as the non-set-aside dwelling units. In a housing development with a variety of bedroom counts per dwelling unit, the percentage of affordable set-aside dwelling units with a particular number of bedrooms shall be equal to the percentage of non-set-aside dwelling units with the same number of bedrooms.

b. The affordable housing set-aside units shall be indistinguishable from the non-set-aside units in a housing development in terms of exterior and interior appearance and overall quality of construction. After consultation with the Executive Director of the LACDA, the Director may allow interior finishes of the affordable housing set-aside units to consist of less expensive materials and equipment, provided they are new, durable, and of good quality.

c. Where a building has five or more dwelling units including affordable housing set-aside units and non-set-aside units, the occupants of the

affordable housing set-aside units shall have the same access to common entrances, common areas, and amenities of the building as the occupants of the non-set-aside units who are not the on-site managers, and the affordable housing set-aside units shall not be isolated to a specific floor or an area on a specific floor.

3. Location of Units. ~~The affordable housing set-aside units and the density bonus dwelling units may be located in different geographic areas within the housing development.~~

a. The density bonus dwelling units and the affordable housing set-aside units may be located in different geographic areas within the housing development.

b. Affordable housing set-aside units in a mixed-income development shall not be overly concentrated in one area of the project, and shall be evenly distributed throughout the project to the satisfaction of LACDA.

c. Where a housing development consists of both rental and for-sale units, rental affordable housing set-aside units shall not be located on the same lot where for-sale units are located.

...

5. Timing. ~~All permits and entitlements, including the building permits, for the affordable housing set aside units shall be obtained prior to or concurrently with the permits and entitlements, including the building permits, for the non set-aside units.~~

a. Income-restricted units provided pursuant to this Chapter, Chapter 22.119 (Affordable Housing Replacement), or Chapter 22.121 (Inclusionary

Housing), shall obtain permits and entitlements, including the building permits, and the certificates of occupancy, prior to or concurrently with any non-income-restricted units.

b. If the housing development is multi-phased, the requirements in this Subsection B.5 shall apply to each phase of the development.

C. Incentives.

1. Except as specified otherwise, a A-housing development shall receive a number of incentives in the amounts shown in Table 22.120.050-~~BC~~, below, if it provides an affordable housing set-aside. The granting of an incentive is subject to an Administrative Housing Permit (Section 22.166.040), unless any of the findings in Section 22.166.040.C.1.a (Incentive) are made, in which case a Discretionary Housing Permit (Section 22.166.050) application is required. The provision of direct financial incentives for a housing development, such as the fee exemption and reductions provided in Section 22.250.020.B (Fee Exemption and Reductions for Affordable Housing), ~~subject to Chapter 22.120 (Density Bonus)~~, shall not be counted toward the incentives provided in this Subsection C.

TABLE 22.120.050-BC: AFFORDABLE HOUSING SET-ASIDES AND INCENTIVES					
	<u>Acutely Low Income (≤ 15% AMI)</u>	Extremely Low Income (≤ 30% AMI)	Very Low Income (≤ 50% AMI)	Lower Income (≤ 80% AMI)	Moderate Income (≤ 120% AMI)
Set-Aside	<u>No. of Incentives</u>	No. of Incentives	No. of Incentives	No. of Incentives	No. of Incentives
5%	<u>4</u>	3	1	-	-
6%	<u>4</u>	3	1	-	-
7%	<u>4</u>	3	1	-	-
8%	<u>4</u>	3	1	-	-
9%	<u>4</u>	3	1	-	-
10%	<u>5</u>	3 <u>4</u>	2	1	1
11%	<u>5</u>	3 <u>4</u>	2	1	1
12%	<u>5</u>	3 <u>4</u>	2	1	1

TABLE 22.120.050-BC: AFFORDABLE HOUSING SET-ASIDES AND INCENTIVES					
	<u>Acutely Low Income (≤ 15% AMI)</u>	<u>Extremely Low Income (≤ 30% AMI)</u>	<u>Very Low Income (≤ 50% AMI)</u>	<u>Lower Income (≤ 80% AMI)</u>	<u>Moderate Income (≤ 120% AMI)</u>
<u>Set-Aside</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>
13%	<u>5</u>	<u>3-4</u>	<u>2</u>	<u>1</u>	<u>1</u>
14%	<u>5</u>	<u>3-4</u>	<u>2</u>	<u>1</u>	<u>1</u>
15%	<u>5</u>	<u>3-4</u>	<u>3</u>	<u>1</u>	<u>1</u>
16%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>1</u>	<u>1</u>
17%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>4-2</u>	<u>1</u>
18%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>4-2</u>	<u>1</u>
19%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>4-2</u>	<u>1</u>
20%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2</u>	<u>2</u>
21%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2</u>	<u>2</u>
22%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2</u>	<u>2</u>
23%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2</u>	<u>2</u>
24%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
25%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
26%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
27%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
28%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
29%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>2-3</u>	<u>2</u>
30%-79- 44%	<u>6</u>	<u>3-5</u>	<u>3-4</u>	<u>3</u>	<u>3</u>
80-45%- 99%	<u>6</u>	<u>3 or 4¹ 5</u>	<u>3 or 4¹ 4</u>	<u>3 or 4¹ 4</u>	<u>3-4</u>
100% ^{2,1}	<u>6</u>	<u>3 or 4¹ 5</u>	<u>3 or 4¹ 4</u>	<u>3 or 4¹ 4</u>	<u>3-4</u>
Notes:					
1. A rental housing development shall receive four incentives, if it has all of the following:					
— a. At least 80 percent affordable housing set aside for lower, very low, or extremely low income households, with the remaining baseline dwelling units, excluding a manager's unit or units, set aside for moderate income households;					
— b. Rents for at least 20 percent of all dwelling units, including the density bonus units but excluding the manager's unit or units, set at an affordable rent as defined in section 50053 of the California Health and Safety Code; and					
— c. Rents for all remaining units, excluding the manager's unit or units, set at an amount consistent with the maximum rent levels for a housing development that received an allocation of State or federal low-income tax credits from the California Tax Credit Allocation Committee.					
ii. Is entitled to a height increase of up to three additional stories, or 33 feet, which is not counted toward the incentives provided in Subsection C (Incentives), below.					

TABLE 22.120.050-BC: AFFORDABLE HOUSING SET-ASIDES AND INCENTIVES					
	<u>Acutely Low Income (≤ 15% AMI)</u>	<u>Extremely Low Income (≤ 30% AMI)</u>	<u>Very Low Income (≤ 50% AMI)</u>	<u>Lower Income (≤ 80% AMI)</u>	<u>Moderate Income (≤ 120% AMI)</u>
<u>Set-Aside</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>	<u>No. of Incentives</u>
2. A housing development may request an additional density bonus as an incentive in addition to the density bonus provided in Table 22.120.050 A, above, if the housing development includes a 100 percent affordable housing set-aside.					

2. Notwithstanding Subsection C.1, above, a rental housing development shall receive the following subject to an Administrative Housing Permit (Section 22.166.040), if it meets the affordability requirements in Subsection A.3.a (Affordability), above:

- a. Up to five incentives; and
 - b. A height increase of up to three additional stories, or 33 feet,
- if the rental housing development is located in any of the following:
- i. One-half mile of a major transit stop; or
 - ii. A very low vehicle travel area.

D. Additional Density Bonus or Incentive for Child Care Facility. Except as specified otherwise, a housing development shall receive either an additional density bonus or an additional incentive as shown in Table 22.120.050-CD, below, if it provides an affordable housing set-aside pursuant to this Section and includes a child care facility.

TABLE 22.120.050-CD: ADDITIONAL DENSITY BONUS OR INCENTIVE FOR CHILD CARE FACILITY¹			
	<u>Eligibility</u>	<u>Additional Density Bonus²</u>	<u>Additional Incentive²</u>
Child care facility ⁵	Affordable housing set-aside provided	Square footage of childcare facility	1

TABLE 22.120.050-CD: ADDITIONAL DENSITY BONUS OR INCENTIVE FOR CHILD CARE FACILITY¹			
	pursuant to this Section ^{3, 4}		
Notes: 1. The granting of the additional density bonus is subject to an Administrative Housing Permit (Section 22.166.040). ... 4. The child care facility shall serve children of <u>acutely low, extremely low, very low income households</u> , lower income households and moderate income households at the same percentage(s), or greater, as the percentage(s) of dwelling units required for <u>acutely low, extremely low, very low income households</u> , lower income households and moderate income households pursuant to this Chapter. 5. A covenant and agreement shall be recorded pursuant to Section 22.166.070.AB.5 (Child Care Facilities).			

SECTION 39. Section 22.120.070 is hereby amended to read as follows:

22.120.070 Land Donation.

A. Density Bonus. Except as specified otherwise, a housing development shall receive a density bonus in the amounts shown in Table 22.120.070-A, below, subject to an Administrative Housing Permit (Section 22.166.040), if it includes the donation of land for housing for very low income households, within the boundary of the housing development or one-quarter mile thereof, in which case the donated land shall be within the unincorporated areas of Los Angeles County.

TABLE 22.120.070-A: AFFORDABLE HOUSING SET-ASIDES, DENSITY BONUSES FOR LAND DONATIONS	
Very Low Income ($\leq 50\%$ AMI)	Density Bonus ² on Housing Development Site
Set-Aside on Donated Land ¹	
...	

B. Affordable Housing Set-Aside. The very low income housing set-aside units on the donated land shall be subject to ~~Subsection~~ Section 22.120.050.B.1 (Duration of Affordability) ~~of Section 22.120.050.~~

...

SECTION 40. Section 22.120.075 is hereby amended to read as follows:

22.120.075 Mobilehome Park Density Bonus.

A. An existing legal nonconforming mobilehome park that seeks to continue operation and exceeds the otherwise maximum number of principal dwelling units permitted pursuant to Section 22.02.050.C (Density) ~~density permitted by the General Plan or the Zone, and that is not receiving any other density bonus pursuant to this Chapter,~~ shall be eligible for a density bonus pursuant to this Section which would deem the existing total number of mobilehome spaces as the maximum number of dwelling units permitted on site, subject to ~~the approval of an Administrative Housing Permit (Section 22.166.040) application~~ all of the following:-

1. The mobilehome park is not receiving any other density bonus pursuant to this Chapter;
2. No expansion or enlargement is proposed; and
3. The approval of an Administrative Housing Permit (Section 22.166.040) application.

B. ~~Such application~~ Applications submitted pursuant to this Section are ~~is not~~ subject to ~~Section 22.166.040.B.2.b or Section 22.166.040.C.3-4 (Covenant and Monitoring Fees Required).~~

C. ~~Such application~~ The following provisions do not apply to applications submitted pursuant to this Section: ~~is not eligible for any waivers or reductions of development standards provided in Section 22.120.090 (Waivers of Reductions of Development Standards).~~

1. Section 22.120.080 (Parking); and
2. Section 22.120.090 (Waivers of Reductions of Development

Standards).

D. Applications submitted pursuant to this Section may request a fee exemption pursuant to Section 22.250.020.D (Fee Exemption for Existing Mobilehome Parks).

SECTION 41. Section 22.120.080 is hereby amended to read as follows:

22.120.080 Parking.

A. Applicability. ~~Notwithstanding any contrary provisions in this Title 22, Table 22.120.080-A, below, identifies the parking requirements for multi-family residential developments subject to this Chapter. The provisions of this Section shall apply to projects subject to this Chapter except the following:~~

1. Projects that are subject to Section 22.120.075 (Mobilehome Park Density Bonus); and
2. Projects where fewer parking spaces are required by Chapter 22.112 (Parking).

B. Permit and Review.

1. Permit Required. Except as specified otherwise, an Administrative Housing Permit (Section 22.166.040) is required for projects subject to Subsections C, D, or E, below.

2. Not Incentives or Waivers. The provisions of Subsections C, D, and E, below, shall not count toward incentives provided in Section 22.120.050.C

(Incentives) or waivers or reductions of development standards provided in Section 22.120.090 (Waivers or Reductions of Development Standards).

C. Required Parking Spaces.

1. General. Table 22.120.080-A, below, identifies the minimum number of parking spaces required for projects subject to this Section.

TABLE 22.120.080-A: GENERAL PARKING RATIOS	
<u>Number of Bedrooms</u>	<u>Number of Spaces ¹</u>
<u>0-1 bedroom</u>	<u>1 space per dwelling unit</u>
<u>2-3 bedrooms</u>	<u>1.5 spaces per dwelling unit</u>
<u>4 or more bedrooms</u>	<u>2.5 spaces per dwelling unit</u>
<u>Note:</u> <u>1. Parking ratios shall apply to all principal dwelling units in a project. Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.</u>	

2. Affordable Housing Development Near Major Transit Stop.

Notwithstanding Subsection C.1., above, Table 22.120.080-B, below, identifies the minimum number of parking spaces required for projects with unobstructed access to and within one-half mile of a major transit stop, if affordable housing set-aside units are provided.

TABLE 22.120.080-B: PARKING RATIOS FOR AFFORDABLE HOUSING DEVELOPMENT NEAR MAJOR TRANSIT STOP	
<u>Affordable Units Provided</u>	<u>Number of Spaces ¹</u>
<u>At least 11% very low income housing set-aside</u>	<u>0.5 spaces per dwelling unit ²</u>
<u>At least 20% lower income housing set-aside</u>	
<u>At least 40% moderate income housing set-aside</u>	<u>0.5 spaces per bedroom ²</u>

TABLE 22.120.080-B: PARKING RATIOS FOR AFFORDABLE HOUSING DEVELOPMENT NEAR MAJOR TRANSIT STOP	
<u>Affordable Units Provided</u>	<u>Number of Spaces</u> ¹
<u>Acutely low or extremely low income dwelling units</u>	<u>No parking required for the acutely low or extremely low income dwelling units only</u>
<u>Note:</u> 1. <u>Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.</u> 2. <u>Parking ratios shall apply to all principal dwelling units in a project.</u>	

D. No Parking Required. Notwithstanding Subsection C., above, no parking shall be required for a rental housing development that meets the affordability requirements in Section 22.120.050.A.3 (Density Bonus for One Hundred Percent Affordable Rental Housing Development) if the rental housing development is one of the project types shown in Table 22.120.080-C, below.

TABLE 22.120.080-C: ONE HUNDRED PERCENT AFFORDABLE RENTAL HOUSING DEVELOPMENT WITH NO PARKING REQUIRED		
<u>Type</u>	<u>100% Affordable Rental Housing Development</u>	<u>Proximity to Transit</u>
<u>1</u>	<u>Senior citizen housing development</u>	<u>With one of the following:</u> <u>Paratransit service; or</u> <u>Unobstructed access to and within ½ mile of a fixed bus route service that operates at least 8 times per day</u>
<u>2</u>	<u>Special needs housing development</u>	
<u>3</u>	<u>Supportive housing development</u>	<u>Any distance</u>
<u>4</u>	<u>Other 100% affordable rental housing development</u>	<u>With unobstructed access to and within ½ mile of a major transit stop</u>

TABLE 22.120.080-A: PARKING RATIOS¹		
Affordability and Project Type	Proximity to Transit	Number of Spaces²
100% rental housing affordable to lower or very low income households ³	-	
Senior citizen housing development	With paratransit or within ½ mile of a fixed bus route ^{4,5}	0.5 space per dwelling unit
Special needs housing development		No parking required
Supportive housing development ⁶	-	No parking required
Other 100% rental housing affordable to lower or very low income households	Within ½ mile of a major transit stop ⁴	0.5 space per dwelling unit
At least 11% very low income housing set aside		0.5 space per bedroom
At least 20% lower income housing set aside		0.5 space per bedroom
Extremely low income dwelling units		No parking required for the extremely low income dwelling units only ⁶
All other projects subject to Chapter 22.120	-	0-1 bedroom: 1 space per dwelling unit ⁷ 2-3 bedrooms: 1.5 spaces per dwelling unit ⁷ 4 or more bedrooms: 2.5 spaces per dwelling unit ⁷
Note:		
1. Except as specified otherwise, the use of parking ratios shown in this Table is subject to an Administrative Housing Permit (Section 22.166.040). The use of such ratios shall not be counted toward incentives provided in Section 22.120.050 (Affordable Housing).		
2. Except as specified otherwise, parking ratios shall apply to the entire project. Parking may be provided by tandem parking or uncovered parking, but not on-street parking. Parking is inclusive of guest and accessible parking spaces.		

TABLE 22.120.080-A: PARKING RATIOS¹		
Affordability and Project Type	Proximity to Transit	Number of Spaces ²
3. All dwelling units, exclusive of the manager's unit or units, and inclusive of affordable housing set aside units, are for lower, very low, or extremely low income households.		
4. A project shall have unobstructed access to a major transit stop or fixed bus route, if a resident is able to access the major transit stop or fixed bus route without encountering natural or constructed impediments		
5. The fixed bus route shall operate at least eight times per day.		
6. The supportive housing development shall be restricted to the target population defined in section 50675.14(b)(3)(A) of the California Health and Safety Code.		
7. Alternatively, the standards in Table 22.112.070-A: Minimum Required Parking Spaces may be applied if they yield a lower total parking requirement.		

BE. Parking Reduction for Religious Institution Affiliated Housing Development Projects. Any religious institution affiliated housing development project shall be eligible for a reduction in parking requirements in accordance with section 65913.6 of the California Government Code.

1. Applicability. The parking reduction provided in this Subsection E applies if a project subject to this Section meets all of the following:

a. The project is located on one or more contiguous lots that are each owned, entirely, whether directly or through a wholly owned company or corporation, by a religious institution owned, controlled, operated, and maintained by a nonprofit religious corporation according to Part 4 of Division 2 of Title 1 of the California Corporations Code; and

b. The project is on a lot:

i. Where parking spaces required for a church, temple, or other place of worship are or would be located;

ii. Adjoining or adjacent to a religious institution-owned lot where parking spaces required for a church, temple, or other place of worship are or would be located; or

iii. Within one-tenth of a mile of a religious institution-owned lot where parking spaces required for a church, temple, or other place of worship are or would be located.

2. Reduction of Religious-Use Parking Spaces. A project subject to this Subsection E may propose to eliminate or reduce parking spaces required for a church, temple, or other place of worship if it meets all of the following:

a. The reduction does not exceed the following:

i. In the case of an existing church, temple, or other place of worship to be retained, 50 percent of the number of existing parking spaces at the time of complete application submittal; or

ii. In the case of a new church, temple, or other place of worship, 50 percent of the number of parking spaces that would be required pursuant to Chapter 22.112 (Parking); and

b. The remaining parking spaces for a church, temple, or other place of worship resulting from the reduction provided in this Subsection E.2 may count toward the number of parking spaces required in Subsection C, above, provided that a minimum of one parking space shall be provided for each principal dwelling unit. This minimum requirement does not apply if either of the following applies:

i. The project is located within one-half mile walking distance of either a high-quality transit corridor as defined in section 21155(b) of the California Public Resources Code or a major transit stop as defined in section 21064.3 of the California Public Resources Code; or

ii. There is a car share vehicle located within one block of the project site.

SECTION 42. Section 22.120.090 is hereby amended to read as follows:

22.120.090 Waivers or Reductions of Development Standards.

A. Except as specified otherwise, a project that is subject to this Chapter shall receive waivers or reductions of development standards, subject to an Administrative Housing Permit (Section 22.166.040), unless any of the findings specified in Section 22.166.040.C.1.b (Waiver or Reduction of Development Standards) are made, in which case a Discretionary Housing Permit (Section 22.166.050) application is required if an affordable housing set-aside is provided pursuant to ~~Table 22.120.050-A~~ Section 22.120.050 (Affordable Housing).

...

SECTION 43. Section 22.120.100 is hereby amended to read as follows:

22.120.100 Rules and Calculations.

A. Fractional Numbers. Except as specified otherwise, each ~~Each~~ calculation for density bonuses, affordable housing set-asides, and parking resulting in fractional numbers shall be rounded up to the next nearest whole number.

~~B. Baseline Dwelling Units.~~

~~1. When calculating the baseline dwelling units, the maximum allowable density permitted by the General Plan land use designation shall prevail and supersede any contrary provisions in this Title 22.~~

~~2. Baseline dwelling units do not include dwelling units permitted by a density bonus awarded or any other section in this Title 22 granting a greater density bonus.~~

GB. Affordable Housing Set-Aside.

1. Calculation. Except as specified otherwise, the affordable housing set-aside shall be calculated using the baseline number of principal dwelling units in a housing development inclusive of any existing principal dwelling units to remain and exclusive of a manager's unit or units any additional units awarded by a density bonus.

2. For Sale Only. An affordable Affordable housing set-aside units in a common interest development or a single-family residential subdivision shall be for sale only if it is in a common interest development, or on a single-family residential fee-simple lot in a subdivision.

DC. Density Bonus.

1. Calculation. Except as specified otherwise, the density bonus shall be calculated using the baseline otherwise maximum number of principal dwelling units permitted, exclusive of a manager's unit or units, on contiguous parcels.

Notwithstanding any other contrary provisions in this Title 22 and for the purposes of this Chapter except Section 22.120.075 (Mobilehome Park Density Bonus), "otherwise maximum number of principal dwelling units permitted" means the greatest number of dwelling units permitted under the General Plan, or an applicable Area, Community, or

Neighborhood Plan, or this Title 22, including Specific Plans. If the maximum number of principal dwelling units permitted under this Title 22, including Specific Plans, is inconsistent with the maximum number of principal dwelling units permitted under the General Plan, or an applicable Area, Community, or Neighborhood Plan, the greater number shall prevail.

2. Smaller or No Density Bonus. An applicant can elect to accept a smaller or no density bonus.

3. No Density Bonus in 70 dB CNEL Noise Contour of Airport Influence Area. Notwithstanding any contrary provisions in this Chapter, a project shall not receive any density bonus, if ~~the project~~ any principal dwelling unit is located within the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an airport influence area.

4. Mixed Tenure Project. Where a project includes any combination of rental units, for-sale units in a common interest development, and for-sale single-family residences:

a. The number of density bonus units for each tenure shall be proportional to the number of affordable housing set-aside units for each tenure if the project is subject to Section 22.120.050 (Affordable Housing). The calculation of a proportional value shall not result in an overall increase in the number of density bonus units or affordable housing set-aside units in the project beyond those provided in Section 22.120.050 (Affordable Housing); and

b. The number of density bonus units for each tenure shall be proportional to the number of senior housing units for each tenure if the project is

subject to Section 22.120.060 (Senior Citizen Housing). The calculation of a proportional value shall not result in an overall increase in the number of density bonus units in the project beyond those provided in Section 22.120.060 (Senior Citizen Housing).

~~ED.~~ Not Cumulative. Except as specified otherwise, for ~~For~~ the purposes of this Chapter:

1. When more than one affordable housing set-aside income category applies, the density bonuses shall not be cumulative. The applicant may choose which affordable housing set-aside category shall be used for the purpose of calculating the density bonus; and

2. Where a project provides both affordable housing set-aside units and senior housing units, the density bonuses shall not be cumulative. The applicant may choose to request a density bonus, pursuant to Section 22.120.050 (Affordable Housing) or Section 22.120.060 (Senior Citizen Housing), but not both.

~~FE.~~ Contiguous Parcels. For the purposes of this Chapter, a Housing Permit application may only be filed for contiguous parcels.

F. Incentives and Waivers or Reductions of Development Standards.

Notwithstanding any contrary provisions in this Chapter:

1. Incentives for Mixed-Use Developments. Mixed-use developments shall not receive any incentives that would result in a commercial floor area ratio that is greater than two and a half times the premises' current allowed base zone commercial floor area ratio; and

2. Incentives and Waivers or Reductions of Development Standards in Altadena. Projects in the Lake Avenue Mixed Use “Center” Area in the Altadena Community Standards District, or on Fair Oaks Avenue within the perimeter of the Eaton Fire, shall not receive any incentives or waivers or reductions of development standards to modify any of the following development standards as related to pedestrian character:

- a. Section 22.320.070.A.4 (Entrances);
- b. Section 22.320.070.A.6 (Windows);
- c. Section 22.320.070.A.7 (Mechanical Equipment);
- d. Section 22.320.070.A.8.b (Exterior Lighting);
- e. Section 22.320.070.A.10.a (Parking Location);
- f. Section 22.320.070.A.10.b (Vehicle Access); or
- g. Section 22.320.090.D.4.c.vii (Pedestrian Character).

SECTION 44. Section 22.121.030 is hereby amended to read as follows:

22.121.030 Applicability.

Notwithstanding any contrary provisions in this Title 22, a housing development is subject to the provisions of this Chapter, in conjunction with Chapter 22.166 (Housing Permits), apply to if it is one of the following:

A. ~~Unless as specified otherwise in Subsection B, below, all housing developments, excluding mobilehome parks, and projects to substantially rehabilitate and convert an existing commercial building to residential uses or the substantial rehabilitation of an existing multi-family dwelling, as defined in section 65863.4(d) of the California Government Code, where the result of the rehabilitation would be a net~~

~~increase in available dwelling units, that meet all of the following~~ General. A housing development that meets all of the following:

1. It is not a mobilehome park;

2. It is a new construction, a substantial rehabilitation and conversion of an existing commercial building to residential uses, or a substantial rehabilitation of existing multi-family residences, where the result of the rehabilitation would be a net increase in available dwelling units;

13. It has ~~Has~~ at least five or more ~~baseline~~ principal dwelling units inclusive of any existing principal dwelling units to remain and exclusive of any additional units awarded by a density bonus;

24. It is ~~is~~ located in a submarket area and is not one of the following, with the following exceptions:

a. A rental ~~Rental~~ projects or a common interest development condominium projects located in the South Los Angeles or Antelope Valley submarket areas; or

b. A rental ~~Rental~~ projects located in the East Los Angeles/Gateway submarket area;

35. It is ~~is~~ not located within an area subject to an affordable housing requirement pursuant to a development agreement, specific plan, or local policy; and

6. It is not a housing development as described in Subsection B, below; or

B. All ~~Housing Element Sites.~~ A housing developments located on a lots that are is in the following:

1. The 2021-2029 Revised Housing Element as one of the following:

a. Nonvacant lot, identified to accommodate very low– or lower income ~~lower income~~ units in the Sites Inventory and included in the 2014-2021

Housing Element;

b. Vacant lot, identified to accommodate very low– or lower income ~~lower income~~ units in the Sites Inventory and included in both the 2008-2014 and the 2014-2021 Housing Elements; or

c. A site ~~Sites that are to be~~ rezoned to accommodate very low or lower income units; and

...

SECTION 45. Section 22.121.050 is hereby amended to read as follows:

22.121.050 Affordable Housing Set-Aside.

A. General Requirements. Projects that are subject to Section 22.121.030.A (General) shall provide the following affordable housing set-aside:

1. Rental Units. If the project consists of rental units, the affordable housing set-aside units shall be provided at an affordable rent, as described in Table 22.121.050-A, below.

TABLE 22.121.050-A: INCLUSIONARY HOUSING REQUIREMENTS FOR RENTAL PROJECTS			
Option	Affordability ¹	Required Set-aside	
		<u>Set-aside Projects with 5 to 14 Units²</u>	<u>Set-aside (Small projects) Projects with 15 or More Units²</u>
1	Average affordability ³ of 40% AMI or less	10% <u>5%</u>	5% <u>10%</u>
2	Average affordability ³ of 65% AMI or less	15% <u>7%</u>	7% <u>15%</u>

TABLE 22.121.050-A: INCLUSIONARY HOUSING REQUIREMENTS FOR RENTAL PROJECTS

Option	Affordability ¹	<u>Required Set-aside</u>	
		<u>Set-aside Projects with 5 to 14 Units²</u>	<u>Set-aside (Small projects) Projects with 15 or More Units²</u>
3	80% AMI or less	20% <u>10%</u>	40% <u>20%</u>

Notes:

- Units shall be set aside for acutely low, extremely low, very low, or lower income households.
- ~~Projects with less than 15 baseline~~ Units shall mean all principal dwelling units inclusive of any existing principal dwelling units to remain and exclusive of any additional units awarded by a density bonus.
- Calculations for the average affordability shall comply with Subsection C (Rules and Calculation), below.

2. ~~For-Sale Units sale.~~ If the project consists of for-sale units, the affordable housing set-aside units shall be provided at an affordable sale price, as described in Table 22.121.050-B, below.

TABLE 22.121.050-B: INCLUSIONARY HOUSING REQUIREMENTS FOR FOR-SALE PROJECTS

Submarket Area	Affordability ¹	<u>Required Set-aside</u>	
		<u>Set-aside Projects with 5 to 14 Units²</u>	<u>Set-aside (Small projects) Projects with 15 or More Units²</u>
Coastal South Los Angeles, South Los Angeles (excluding condominiums common interest developments), East Los Angeles/Gateway	Average affordability ³ of 135% AMI or less	20% <u>10%</u>	40% <u>20%</u>
San Gabriel Valley		15% <u>7%</u>	7% <u>15%</u>
Santa Clarita Valley, Antelope Valley (excluding condominiums common interest developments)		5% <u>-</u>	- <u>5%</u>

Notes:

TABLE 22.121.050-B: INCLUSIONARY HOUSING REQUIREMENTS FOR FOR-SALE PROJECTS

Submarket Area	Affordability ¹	Required Set-aside	
		Set-aside Projects with 5 to 14 Units ²	Set-aside (Small projects) Projects with 15 or More Units ²
1. Units shall be set aside for moderate or middle income households <u>and shall not be set aside for households of lower income or below.</u> 2. Projects with less than 15 baseline <u>Units shall mean all principal dwelling units inclusive of any existing principal dwelling units to remain and exclusive of any additional units awarded by a density bonus.</u> 3. Calculations for the average affordability shall comply with Subsection C (<u>Rules and Calculation</u>), below.			

B. Requirements on Housing Element Sites. Projects that are subject to Section 22.121.030.B (Housing Element Sites) shall provide a minimum of 20 percent affordable housing set-aside for ~~lower income~~ lower income households.

C. Rules and Calculation.

1. Inclusionary Housing Requirement.

a. General. The inclusionary housing requirement shall be calculated using the ~~baseline number of principal dwelling units in the housing development inclusive of any existing principal dwelling units to remain and~~ exclusive of a manager's unit or units any additional units awarded by a density bonus.

b. Mixed Tenure Project. Where a project includes any combination ~~consists of both~~ rental units, for-sale units in a common interest development, and ~~for-sale units~~ single-family residences, ~~the inclusionary housing requirement shall apply to both rental and for-sale units. The~~ inclusionary housing requirement for each tenure shall be calculated separately using the ~~baseline number of~~

principal dwelling units under each tenure, inclusive of any existing principal dwelling units to remain and exclusive of a manager's unit or units any additional units awarded by a density bonus, under each tenure.

c. Fractional Numbers. All calculations resulting in fractional numbers shall be rounded up to the next whole number.

d. For Sale Only. An affordable housing set-aside unit shall be for sale only if it is in a common interest development, or on a single-family residential fee-simple lot in a subdivision.

2. Density Bonus. The affordable housing set-aside units required in Chapter 22.120 (Density Bonus) may count toward the affordable housing set-aside units required in this Chapter, in which case such units shall be: provided on-site.

a. ~~Subject to Section 22.120.050.B.1 (Duration of Affordability);~~
and

b. ~~Provided on-site.~~

3. Affordable Housing Replacement. Affordable replacement units required, pursuant to Chapter 22.199 (Affordable Housing Replacement), may count toward the affordable housing set-aside units required in this Chapter, in which case such units shall be provided on-site.

4. Average Affordability. Average affordability is the sum of each dwelling unit set aside for acutely low income, extremely low income, very low income, lower income, moderate income, or middle income households multiplied by the income level, and divided by the total number of affordable housing set-aside units.

D. Comparability. The affordable housing set-aside units required in this Chapter shall be subject to the same requirements as for the affordable housing set-aside units provided in Section 22.120.050.B.2 (Comparability).

~~1. Affordable housing set-aside units shall have the same number of bedrooms as the non-set-aside dwelling units. In a project with a variety of bedroom counts per dwelling unit, the percentage of affordable set-aside dwelling units with a particular number of bedrooms shall be equal to the percentage of non-set-aside dwelling units with the same number of bedrooms.~~

~~2. The affordable housing set-aside units shall be indistinguishable from the non-set-aside units in terms of exterior and interior appearance and overall quality of construction. Where reasonable, interior finishes may consist of less expensive materials and equipment, provided they are new, durable, and of good quality.~~

~~3. Affordable housing set-aside units shall have comparable access to building amenities as other non-set-aside units.~~

~~4. Affordable housing set-aside units shall not be overly concentrated in one area of the project, and shall be reasonably distributed throughout the project.~~

~~5. Affordable housing set-aside units in a common interest development or a single-family residential subdivision shall be for sale only.~~

E. Duration of Affordability.

1. Rental Units. ~~Except as specified otherwise in this Chapter, the~~ The affordability term for a rental affordable housing set-aside units required in this Chapter shall be at least 99 years from the issuance of the final certificate of occupancy by

Public Works unless any of the following applies, in which case the affordability term shall be 55 years from the issuance of the final certificate of occupancy by Public Works: in perpetuity.

a. The affordable housing set-aside unit required in this Chapter counts toward the affordable housing set-aside units required in Section 22.128.200 (Supportive Housing Streamlining); or

b. The affordable housing set-aside unit required in this Chapter counts toward the affordable housing set-aside units required in Chapter 22.120 (Density Bonus) and will be financed with low income housing tax credits.

2. For-Sale Units sale. The initial sale of the affordable housing set-aside units shall be restricted to eligible buyers and shall require an equity-sharing agreement with the County, as described in Chapter 22.166 (Housing Permits). A for-sale affordable housing set-aside unit required in this Chapter shall be subject to the same requirements as for the for-sale affordable housing set-aside units provided in Section 22.120.050.B.1.b (For-Sale Units).

F. Location of Affordable Housing Set-Aside Units. The required affordable housing set-aside units shall be provided on-site, or off-site provided that:

1. The required affordable housing set-aside units shall be provided on-site, or off-site provided that:

4a. The required affordable housing set-aside units are not subject to Subsection B, above, or used to also satisfy the affordable housing replacement requirements set forth in Chapter 22.119 (Affordable Housing

Replacement) or the affordable housing set-aside requirements set forth in Chapter

22.120 (Density Bonus)-~~or Subsection B, above;~~

2b. The off-site lot ~~parcel~~ is located in an unincorporated area of the County and is one of the following:

a~~i~~. Located within one-quarter mile of the principal project;

b~~ii~~. Located within an area designated as Highest, High, or Moderate Resource by the State Tax Credit Allocation Committee and State Department of Housing and Community Development. Where the principal project is also located in an area designated as Highest, High, or Moderate Resource, the off-site lot ~~parcel~~ shall be located in an area with the same or higher resource designation as the principal project;

c~~iii~~. Located within two miles of the principal project and in an area with known displacement risk based on evidence to the satisfaction of the Department; or

d~~iv~~. Developed as part of a community land trust;

3c. The off-site lot ~~parcel~~, its developable acreage, zoning and General Plan land use designation, is sufficient to permit the construction of the required set-aside units for the principal project;

4d. The required affordable housing set-aside units for the principal project shall not count toward the affordable housing set-aside units required on said off-site lot pursuant to this Chapter;

5e. The construction of the affordable housing set-aside units for the principal project does not result in units requiring replacement of the off-site lot, pursuant to Chapter 22.119 (Affordable Housing Replacement); and

6f. Where the applicant partners with a third-party developer for the provisions of the affordable housing set-aside units on the off-site lot:

a. The applicant shall submit a memorandum of understanding ("MOU") to the ~~Los Angeles County Development Authority ("LACDA")~~ for review prior to the approval of an Administrative Housing Permit (Section 22.166.040) application. The MOU shall include the agreed upon payment or compensation that the applicant will give to the partnering third-party developer to construct the set-aside units, with sworn affidavits from both parties;

b. Upon approval of the Administrative Housing Permit (Section 22.166.040) application, the Director shall notify the Commission of said approval with the following:

- i.(a) The location of the off-site lot;
- ii.(b) The number of affordable housing set-aside units provided on the off-site lot;
- iii.(c) The household income levels assigned to such set-aside units;
- iv.(d) The sizes (square footage) and number of bedrooms of such set-aside units; and
- v.(e) A copy of the MOU between the applicant and the partnering third-party developer; and

eiii. The approval of the Administrative Housing Permit (Section 22.166.040) application may be called for review by the Commission pursuant to Chapter 22.240 (Appeals).

2. The affordable housing set-aside units required in this Chapter shall be subject to the same requirements as for the affordable housing set-aside units provided by Sections 22.120.050.B.3.b and 22.120.050.B.3.c (Location of Units).

...

H. Timing.

1. Income-restricted units provided pursuant to this Chapter, Chapter 22.119 (Affordable Housing Replacement), or Chapter 22.120 (Density Bonus) shall obtain permits and entitlements, including the building permits, and the certificates of occupancy, prior to or concurrently with any non-income-restricted units.

2. If the housing development is multi-phased, the requirements in this Subsection H shall apply to each phase of the development.

~~1. All permits and entitlements, including the building permits, for the affordable housing set-aside units shall be obtained prior to or concurrently with the permits and entitlements, including the building permits, for the non-set-aside units.~~

~~2. Where affordable housing set-aside units are provided off-site pursuant to Subsection F, above, such units shall obtain a certificate of occupancy from Public Works prior to the issuance of the final certificate of occupancy for the principal project.~~

SECTION 46. Section 22.121.060 is hereby amended to read as follows:

22.121.060

Incentive and Waiver or Reduction of Development

Standards.

A project with a ~~any~~ middle income ~~affordable housing~~ set-aside shall be eligible for one incentive and one waiver or reduction of ~~a~~ development standards, subject to the following:

A. The project is not eligible to receive any incentive or waiver or reduction of development standards provided in Chapter 22.120 (Density Bonus);

B. Incentive. The granting of an incentive pursuant to this Section is subject to the following:

1. An Administrative Housing Permit (Section 22.166.040), unless any of the findings specified in Section 22.166.040.C.1.a are made, in which case a Discretionary Housing Permit (Section 22.166.050) application is required; and

2. Said incentive shall not be used to request any density bonus or direct financial incentive, such as an exemption from, or a reduction in, the payment of any planning and zoning fees;

C. Waiver or Reduction of Development Standards. The granting of a waiver or reduction of development standards pursuant to this Section is subject to an Administrative Housing Permit (Section 22.166.040), unless any of the findings specified in Section 22.166.040.C.1.b are made, in which case a Discretionary Housing Permit (Section 22.166.050) application is required; and

D. The provisions set forth in Section 22.120.100.F (Incentives and Waivers or Reductions of Development Standards).

SECTION 47. Chapter 22.128 headings are hereby amended to read as follows:

Chapter 22.128 Supportive Housing.

Sections:

22.128.100 Supportive Housing.

22.128.200 Supportive Housing Streamlining ~~(Reserved)~~.

~~**22.128.210 Purpose.**~~

~~**22.128.220 Definitions.**~~

~~**22.128.230 Applicability.**~~

~~**22.128.240 Application Requirement.**~~

~~**22.128.250 Requirements.**~~

~~**22.128.260 Parking.**~~

~~**22.128.270 Reduced Number of Supportive Housing Units Due to Termination of Subsidy.**~~

SECTION 48. Section 22.128.200 is hereby amended to read as follows:

22.128.200 Supportive Housing Streamlining ~~(Reserved)~~.

A. Purpose. The purpose of this Section is to streamline permits for certain supportive housing projects, as set forth in sections 65650 through 65656 of the California Government Code, as amended, and to increase the production of lower income housing and supportive housing for persons experiencing homelessness.

B. Definitions. In addition to the specific terms defined in Division 2 (Definitions), “supportive housing” subject to this Section includes transitional housing

for youth and young adults, and nonresidential uses and administrative office space as provided in Subsection E.6, below.

C. Applicability. This Section applies where multi-family housing or mixed use developments are permitted.

D. Application Requirement. An Administrative Housing Permit (Section 22.166.040) and a Ministerial Site Plan Review (Chapter 22.186) are required for any supportive housing project subject to this Section.

E. Requirements. A supportive housing project subject to this Section shall comply with all of the following:

1. Objective Development Standards. Except as specified otherwise in this Subsection E, the project shall comply with all objective development standards applicable to other residential dwellings of the same type in the same zone;

2. Affordability. All principal dwelling units, exclusive of any manager's units and density bonus units, shall be restricted to lower income households. The rents in the project shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the project;

3. Supportive Housing Dwelling Units.

a. Minimum Number of Supportive Housing Dwelling Units.

i. If the project has 11 or fewer principal dwelling units, exclusive of any manager's units and density bonus units, all such units shall be restricted to supportive housing; and

ii. If the project has 12 or more principal dwelling units, exclusive of any manager's units and density bonus units, at least 25 percent of such

units or 12 such units, whichever is greater, shall be restricted to supportive housing;
and

b. Target Population. The dwelling units restricted to supportive housing shall be for the target population;

4. Duration. The term of the affordability and supportive housing restrictions and requirements, pursuant to Section 22.166.070 (Covenant and Agreement), shall be 55 years from the issuance of the final certificate of occupancy by Public Works;

5. Public Funding. The project shall be publicly funded, or the applicant shall have applied for, or shall intend to apply for, public funding;

6. Non-Residential Floor Area. The non-residential floor area of the project shall only be used for administrative office space and on-site supportive services that are limited to tenant use, including, without limitation, community rooms, case management offices, computer rooms, and community kitchens, as follows:

a. If the project has 20 or fewer principal dwelling units, exclusive of any manager's units and density bonus units, a minimum of 90 square feet of the floor area shall be designated for on-site supportive services;

b. If the project has 21 or more principal dwelling units, exclusive of any manager's units and density bonus units, a minimum of three percent of the total floor area shall be designated for on-site supportive services; and

c. No more than 25 percent of the total floor area shall be dedicated to administrative office space, which includes organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purposes of providing

on-site supportive services, other nonprofit operations beyond the scope of the corresponding project, and parking necessary to serve the office space.

7. Supportive Services Plan. The project shall submit documentation of a supportive services plan, which includes without limitation, the entity providing supportive services, the supportive services funding source, and supportive services staffing levels, subject to Section 22.166.040 (Administrative Housing Permit);

8. Dwelling Unit Facilities. All principal dwelling units, exclusive of any manager's units, shall include at least one bathroom and a kitchen or other cooking facilities, including at minimum, a stovetop, a sink, and a refrigerator;

9. Replacement Dwelling Units. The project shall provide affordable housing replacement units pursuant to Chapter 22.119 (Affordable Housing Replacement), if applicable; and

10. Covenant and Agreement. A covenant and agreement shall be recorded pursuant to Section 22.166.070 (Covenant and Agreement).

F. Parking. Unless a lesser number of parking spaces is required by Chapter 22.112 (Parking) or Section 22.120.080 (Parking), no parking shall be required for the supportive housing units, if the project is located within one-half mile of a public transit stop. For the purposes of this Subsection F, "public transit stop" includes any existing rail station, and the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. Measurements for the frequency of the bus service may include multiple bus lines.

G. Reduced Number of Supportive Housing Units Due to Termination of Subsidy. Notwithstanding any contrary provision of this Section, the Director, in consultation with the Executive Director of the LACDA, shall, at the request of the project owner, reduce the number of supportive housing units in an operating project, if the number of residents living in the supportive housing units decreased as the result of the termination of a project-based rental assistance or operating subsidy through no fault of the project owner. An Administrative Housing Permit (Section 22.166.040) application is required for such a request, provided that the project owner submits the following:

1. A request to the Director to reduce the number of supportive housing units six months prior to termination of the project-based rental assistance or operating subsidy; and

2. Documentation demonstrating that:

a. The owner has made good faith efforts to find other sources of financial support;

b. Any change in the number of supportive housing units is restricted to the minimum necessary to maintain project financial feasibility; and

c. Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

SECTION 49. Section 22.128.210 is hereby deleted in its entirety.

~~22.128.210~~ Purpose.

SECTION 50. Section 22.128.220 is hereby deleted in its entirety.

~~22.128.220~~ ~~Definitions.~~

SECTION 51. Section 22.128.230 is hereby deleted in its entirety.

~~22.128.230~~ ~~Applicability.~~

SECTION 52. Section 22.128.240 is hereby deleted in its entirety.

~~22.128.240~~ ~~Application Requirement.~~

SECTION 53. Section 22.128.250 is hereby deleted in its entirety.

~~22.128.250~~ ~~Requirements.~~

SECTION 54. Section 22.128.260 is hereby deleted in its entirety.

~~22.128.260~~ ~~Parking.~~

SECTION 55. Section 22.128.270 is hereby deleted in its entirety.

~~22.128.270~~ ~~Reduced Number of Supportive Housing Units Due to Termination of Subsidy.~~

SECTION 56. Chapter 22.130 headings are hereby amended to read as follows:

Chapter 22.130 Transitional Housing.

Sections:

22.130.100 Transitional Housing.

22.130.200 Motel Conversions, Permanent-(Reserved).

~~22.130.210~~ ~~Purpose.~~

~~22.130.220~~ ~~Definitions.~~

~~22.130.230~~ ~~Applicability.~~

~~22.130.240~~ ~~Application Requirement.~~

~~22.130.250~~ ~~Requirements.~~

~~22.130.260~~ ~~Reduced Number of Transitional Housing Units Due to Termination of Subsidy.~~

SECTION 57. Section 22.130.200 is hereby amended to read as follows:

22.130.200 Motel Conversions, Permanent ~~(Reserved)~~.

A. Purpose. The purpose of this Section is to streamline permits for certain permanent conversions of existing, legally-built hotels, motels, and youth hostels to transitional housing, thereby increasing the production of lower income and transitional housing for persons experiencing homelessness.

B. Definitions. Specific terms used in this Section are defined in Division 2 (Definitions).

C. Applicability. This Section shall apply to all zones where permitted.

D. Application Requirement. An Administrative Housing Permit (Section 22.166.040) and a Ministerial Site Plan Review (Chapter 22.186) are required for any permanent motel conversion subject to this Section.

E. Requirements. Notwithstanding any contrary provision of this Title 22, the permanent conversion of an existing hotel, motel, or youth hostel to transitional housing, subject to this Section, shall comply with all of the following:

1. Residential Use. The project shall be consistent with Section 22.130.100 (Transitional Housing);

2. Affordability. All dwelling units, exclusive of any manager's units, shall be provided at an affordable rent for lower income households. If the project receives financing provided by a public program, the rents in the project shall be set at an amount consistent with the rent limits stipulated by the public program;

3. Transitional Housing Dwelling Units. All dwelling units, exclusive of any manager's units, shall be restricted to transitional housing. The number of transitional housing units shall be at least equal to the number of hotel, motel, or youth hostel rooms, except where a reduction in the number of rooms is necessary to create common areas and supportive services spaces required in this Section;

4. Target Population. All dwelling units, exclusive of any manager's units, shall be restricted to the target population;

5. Duration.

a. Except as specified in Subsection E.5.b, below, the term of the affordability and transitional housing restrictions and requirements, pursuant to Section 22.166.070 (Covenant and Agreement), shall be at least 99 years from the issuance of the final certificate of occupancy by Public Works; and

b. If an affordable housing set-aside unit required in this Section counts toward the affordable housing set-aside unit required in Chapter 22.120 (Density Bonus) and will be financed with low income housing tax credits, the affordability term shall be 55 years from the issuance of the final certificate of occupancy by Public Works;

6. Supportive Services. Projects are subject to Sections 22.128.200.E.6 (Supportive Services), 22.128.200.E.7 (Supportive Services Plan), and 22.128.200.E.8 (Dwelling Unit Facilities); and

7. Covenant and Agreement. A covenant and agreement shall be recorded, pursuant to Section 22.166.070 (Covenant and Agreement).

F. Reduced Number of Transitional Housing Units Due to Termination of Subsidy. Notwithstanding any contrary provision of this Section, the Director, in consultation with the Executive Director of the LACDA, shall, at the request of the project owner, reduce the number of transitional housing units in an operating project, if the operating subsidy for the project is terminated through no fault of the project owner. An Administrative Housing Permit (Section 22.166.040) application is required for such a request, provided that the project owner submits the following:

1. A request to the Director to reduce the number of transitional housing units six months prior to termination of the operating subsidy; and
2. Documentation demonstrating that:
 - a. The owner has made good faith efforts to find other sources of financial support;
 - b. Any change in the number of transitional housing units is restricted to the minimum necessary to maintain project financial feasibility; and
 - c. Any change to the occupancy of the transitional housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any transitional housing units.

SECTION 58. Section 22.130.210 is hereby deleted in its entirety.

~~22.130.210~~ Purpose.

SECTION 59. Section 22.130.220 is hereby deleted in its entirety.

~~22.130.220~~ Definitions.

SECTION 60. Section 22.130.230 is hereby deleted in its entirety.

~~22.130.230~~ Applicability.

SECTION 61. Section 22.130.240 is hereby deleted in its entirety.

~~**22.130.240 Application Requirement.**~~

SECTION 62. Section 22.130.250 is hereby deleted in its entirety.

~~**22.130.250 Requirements.**~~

SECTION 63. Section 22.130.260 is hereby deleted in its entirety.

~~**22.130.260 Reduced Number of Transitional Housing Units Due to Termination of Subsidy.**~~

SECTION 64. Section 22.140.170 is hereby amended to read as follows:

22.140.170 Density-Controlled Developments.

...

C. Required Standards. In approving a Conditional Use Permit (Chapter 22.158) application for density-controlled development, the Commission or Hearing Officer shall impose the following standards. The standards in this Subsection C may not be modified unless a Variance (Chapter 22.194) application is granted:

...

3. Dwelling Unit Type. All dwelling units shall be single-family residences on fee-simple lots or multiple detached units on a lot, unless a townhouse development is permitted pursuant to the base zone, requested, and approved.

...

SECTION 65. Section 22.140.230 is hereby amended to read as follows:

22.140.230 Farmworker Housing.

...

E. Application Requirements for Zones R-3 and R-4.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review

(Chapter 22.186) application is required for a farmworker housing complex that consists of any of the following housing types as defined in Division 2 (Definitions):

a. In Zone R-3:

i. An apartment house;

ii. A two-family residence; or

iii. Multiple detached dwelling units on a lot, which may

also be subject to a tentative, final or parcel map if the farmworker housing complex is a lease project as defined in Section 21.08.090 (Lease Project) of Title 21 (Subdivisions);

or

i. ~~Does not exceed the maximum density pursuant to Section 22.02.050.B.2 (Maximum) or Section 22.06.020 (Suffixes to Zoning Symbols);~~

and

ii. ~~Consists of any of the following housing types:~~

~~(1) An apartment house;~~

~~(2) A two-family residence; or~~

~~(3) Multiple detached residential units on one lot,~~

~~each unit of which complies with Subsections B through E of Section 22.140.580~~

~~(Single-Family Residences), subject to any applicable requirements of the Subdivision~~

~~Map Act in Section 66410 et seq., of the California Government Code, or Title 21~~

~~(Subdivisions) of the County Code, regarding a lease project subdivision; or~~

b. In Zone R-4: In addition to the housing types listed in Subsection E.1.a, above, a farmworker housing complex may also consist of a rooming or boarding house.

i. ~~Does not exceed the maximum density pursuant to Section 22.02.050.B.2 (Maximum) or Section 22.06.020 (Suffixes to Zoning Symbols);~~
and

ii. ~~In addition to the housing types listed in Subsection E.1.a.ii, above, a farmworker housing complex may also consist of a rooming or boarding house; or~~

...

SECTION 66. Section 22.140.290 is hereby amended to read as follows:

22.140.290 Home-Based Occupations.

...

C. Development Standards. Home-based occupations shall comply with the following standards:

...

5. Only one home-based occupation is permitted per principal dwelling unit.

...

SECTION 67. Section 22.140.320 is hereby amended to read as follows:

22.140.320 Joint Live and Work Units.

...

G. Development Standards.

...

2. Zone Specific Development Standards.

a. Zones C-H, C-1, C-2, C-3, and C-M. Section 22.140.350.A.5
6-(Development Standards) shall apply to joint live and work units in Zones C-H, C-1, C-
2, C-3, and C-M.

...

SECTION 68. Section 22.140.350 is hereby amended to read as follows:

22.140.350 Mixed Use Development in Commercial Zones.

A. Mixed Use Development in Zones C-H, C-1, C-2, C-3, and C-M.

...

3. Application Requirements.

...

c. Modification.

i. The requirements in ~~this Subsections~~ A.5
(Development Standards) and A.6 (Performance Standards), below, may be modified
upon approval of a Conditional Use Permit (Chapter 22.158) application.

ii. Notwithstanding Subsection A.3.c.i, above, the
development standards specified in Subsection A.65, below, may be waived, reduced,
or modified in accordance with Chapter 22.120 (Density Bonus) or Chapter 22.121
(Inclusionary Housing), subject to an Administrative Housing Permit (Section
22.166.040), in which case Subsection A.3.a, above, also applies if the mixed use
development is on a lot that meets the locational criteria specified in Note 18 of Table

22.20.030-B (Principal Use Regulations for Commercial Zones) in Zones C-H, C-1, C-2, and C-3.

4. Prohibited Uses. Notwithstanding the uses otherwise permitted in the zone, the following uses are prohibited in the commercial component of a mixed use development, as listed in Table 22.140.350-A, below.

TABLE 22.140.350-A: PROHIBITED USES	
...	
Industrial Uses—Food Processing	
Candy and confectioneries	Ice cream
Fruit and vegetable juices, excluding the use of carbonization	Wineries
<u>Lodging</u>	
<u>Hotels</u>	<u>Youth hostels</u>
<u>Motels</u>	
...	

5. Development Standards. The following development standards shall apply:

a. Minimum Floor Area for Residential Use. At least two-thirds of the square footage of the mixed use development shall be designated for residential use. For the purpose of this Subsection A.6-5.a:

...

SECTION 69. Section 22.140.360 is hereby amended to read as follows:

22.140.360 Mixed Use Developments in Zone MXD-RU.

...

D. Performance Standards. The performance standards set forth in Section 22.140.350.A.6-7-(Performance Standards) shall apply to all mixed use developments in Zone MXD-RU.

E. Covenant and Agreement. The requirement of a covenant and agreement set forth in Section 22.140.350.A.7-8-(Covenant and Agreement) shall apply to all mixed use developments in Zone MXD-RU.

F. Prohibited Uses. For any commercial component of a mixed use development in Zone MXD-RU, in addition to prohibited uses for commercial components of mixed use developments in Section 22.140.350.A.4-5-(Prohibited Uses), the uses listed in Table 22.140.360-A shall be prohibited:

...

SECTION 70. Section 22.140.580 is hereby amended to read as follows:

22.140.580 Single-Family Residences.

A. Applicability.

1. This Section applies to single-family residences in all zones where permitted.
2. In Zone O-S, a single-family residence may be developed only as an accessory use to a farm or ranch as a principal use, with the approval of a Conditional Use Permit (Chapter 22.158) application.

~~B. Minimum Building Width.~~

~~1. Required Width. A single-family residence shall be not less than 20 feet wide.~~

~~2. Exception to Required Width. Notwithstanding Subsection B.1, above:~~

~~a. A single-family residence may be a minimum of 18 feet wide, if the lot is less than 26 feet in width.~~

~~b. To allow for flexibility and creativity of design, a single-family residence may be less than 20 feet wide, but not less than 12 feet wide, if the floor area, exclusive of accessory structures, is at least 900 square feet and the side or sides oriented toward a public street, highway, or parkway have a dimension of at least 20 feet.~~

~~3. Additions. Additions to a single-family residence are not restricted in width.~~

~~C. Minimum Floor Area. A single-family residence shall have a floor area of not less than 800 square feet.~~

~~DB. Roof and Exterior Siding Materials.~~

~~...~~

3. Metal roof and exterior siding materials with a factory-applied surface coating are permitted if in compliance with Subsection ~~DB~~.4, below. Factory-applied surface coatings include "baked on" enamel, powder coating, or other similar permanent coating applied to the roof or siding materials by the manufacturer; and;

~~...~~

~~EC. Modification.~~

1. **Applicability.** Except as specified in Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits), the requirements in Subsections ~~B through D~~, above, may be modified upon approval of a Minor Conditional Use Permit (Chapter 22.160) application or a Conditional Use Permit (Chapter 22.158) application for the zones that require such Conditional Use Permit, subject to Subsection ~~EC~~.2, below.

...

~~FD~~. **Additional Standards for Zones C-RU and MXD-RU.** In Zones C-RU and MXD-RU, the following additional standards shall apply:

...

~~GE~~. **Additional Standards for Zones C-H, C-1, C-2, C-3, C-M, and C-R.** In Zones C-H, C-1, C-2, C-3, C-M, and C-R, single-family residences shall comply with the following standards:

...

4. **Modifications.** Except as specified in Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), or Chapter 22.166 (Housing Permits), development standards listed in this Subsection ~~GE~~ may be modified with a Conditional Use Permit (Chapter 22.158) application subject to Subsection ~~EC~~.2, above.

SECTION 71. Section 22.140.585 is hereby amended to read as follows:

22.140.585 Single-Family Residences on Compact Lots.

...

F. **Development Standards.** Development of single-family residences on compact lots shall comply with the following development standards:

...

3. Single-Family Residence Standards. ~~Sections 22.140.585.B (Minimum Building Width) and 22.140.585.C (Minimum Floor Area)~~ Section 22.140.580.B (Roof and Exterior Siding Materials) shall not apply to single-family residences on compact lots.

...

SECTION 72. Section 22.140.600 is hereby amended to read as follows:

22.140.600 Townhouses.

...

B. Development Standards.

...

2. ~~Number of Townhouses~~ Principal Dwelling Units. The Commission or Hearing Officer shall specify the maximum number of townhouses principal dwelling units that may be are confined within a single building ~~shall be specified~~ as part of the approval. ~~In the absence of a specified number, not more than six townhouses shall be so placed.~~ Unless modified per Subsection B.4, below, in no event shall the principal dwelling unit count exceed six per building.

3. Distance Between Buildings or Structures. The required distance between buildings or structures shall be specified as part of the approval. ~~In the absence of a specified number~~ Unless modified per Subsection B.4, below, the distance between buildings or structures in a townhouse development shall be the same as those provided in Section 22.110.050 (Distance Between Buildings) ~~not be less than 10 feet.~~

...

SECTION 73. Section 22.140.640 is hereby amended to read as follows:

22.140.640 Accessory Dwelling Units and Junior Accessory

Dwelling Units.

...

D. Review and Decision.

1. General. Within 15 business days of receiving an application for an accessory dwelling unit or junior accessory dwelling unit, a written determination, including a list of deficiencies, shall be provided to the applicant if the application is not complete. If this determination is not provided, the application shall be deemed complete. A decision on an application for an accessory dwelling unit or a junior accessory dwelling unit shall be made within 60 days of submittal of a the date the application is determined to be complete application.

...

4. If an application for an accessory dwelling unit or junior accessory dwelling unit is denied, a full set of comments shall be returned to the applicant within the time period described in Subsections D.1 through D.3, above, with a list of items that are defective or deficient and a description of how the applicant can be remedied by the applicant.

5. Appeals.

a. Applicability. Notwithstanding Section 22.226.040 (Decision), an applicant may appeal, in writing, the Director's decision on an application

for accessory dwelling units or a junior accessory dwelling unit if the application is one of the following:

i. Determined to be incomplete; or

ii. Denied.

b. Appeal Body. The Appeal Body shall be the Commission.

c. Filing.

i. Time Limit. An appeal shall be filed with the Commission within 14 days of the Director's decision. If the last day to file an appeal falls on a non-business day for the Department, then the appeal period shall extend to the next business day.

ii. Fee. The applicant shall pay a processing fee in accordance with Section 22.240.050.B.1 (Applicant Appeal of Decision) when filing an appeal.

d. Process. The Commission shall provide a final written determination on the appeal within 60 business days after the date the written appeal was received, subject to the following:

i. Consideration of Complete Record. The Commission shall consider the complete record, which includes but is not limited to:

(a) The same application, plans, and materials that were the subject of the original decision;

(b) The record of the original decision, all admitted exhibits and plans, all rejected exhibits and plans, and any other written evidence in possession of the Director; and

(c) Any additional documentation received or issued after the original decision and before the appeal;

ii. Testimony. The Commission shall hear testimony of the applicant and any other interested party at the appeal hearing;

iii. Decision. The Commission shall affirm or reverse the original decision. When a decision is reversed, the Commission shall state the specific reasons for reversal;

iv. Notice of Action. The secretary or clerk of the Commission shall mail the notice of decision in compliance with Section 22.222.220 (Notice of Action) after the final decision is made; and

v. Effective Date of Decision. The Commission's decision on the appeal shall be final and effective on the date of decision and shall not be subject to further administrative appeal.

E. Maximum Number of Accessory Dwelling Units and Junior Accessory Dwelling Units. Table 22.140.640-A, below, identifies the maximum number of accessory dwelling units and junior accessory dwelling units permitted on a lot:

TABLE 22.140.640-A: MAXIMUM NUMBER OF ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS PERMITTED ON A LOT		
Principal Use on a Lot	Maximum Number	
	Accessory Dwelling Units	Junior Accessory Dwelling Units
One proposed or existing single-family residence in any zone	1 attached to or within a single-family residence or accessory structure; and 1 detached from residences	1

TABLE 22.140.640-A: MAXIMUM NUMBER OF ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS PERMITTED ON A LOT		
Principal Use on a Lot	Maximum Number	
	Accessory Dwelling Units	Junior Accessory Dwelling Units
that allows residential use		
Any proposed or existing multi-family residence in any zone that allows residential use	25 percent of principal dwelling units attached to or within existing residential building(s); ¹ and 2-8 detached from residences residential buildings, provided that the total number of detached accessory dwelling units does not exceed the number of principal dwelling units	-
Note: 1. When the calculation results in a fractional number, the result shall be rounded up to the nearest whole number. These accessory dwelling units may include, but are not limited to, conversions of habitable or unhabitable space or additions to residences.		

...

G. Accessory Dwelling Unit Development Standards. The development standards in this Subsection apply to any accessory dwelling unit not described by Subsection H, below.

1. Accessory Dwelling Units.

...

d. Parking.

...

ii. Parking Within Very High Fire Hazard Severity Zones.

...

(2) When a garage, carport, ~~or~~ covered parking structure, or uncovered parking space is demolished in conjunction with the construction

of an accessory dwelling unit or converted into an accessory dwelling unit, no replacement parking shall be required for the accessory dwelling unit or single-family or multi-family residence.

...

H. Development Standards – State-Exempt Accessory Dwelling Units.

1. The following accessory dwelling units shall be permitted, subject only to the following development standards:

...

b. On a lot with an existing multi-family residence:

i. A minimum of one accessory dwelling unit and maximum of 25 percent of the existing number of dwelling units, if the accessory dwelling unit(s) are proposed within the portions of existing multi-family residences that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, and each accessory dwelling unit complies with State building standards for dwelling units.

ii. A maximum of ~~two~~ eight detached accessory dwelling units ~~is on a lot with an existing or proposed multi-family residence, provided~~ that the total number of detached accessory dwelling units does not exceed the number of principal dwelling units and each accessory dwelling unit has four-foot side and rear yard setbacks, a maximum height as provided in Subsections G.1.b.iii.1 to G.1.b.iii.3, and a maximum size as provided in Subsection G.1.a.ii.a, above.

c. On a lot with a proposed multi-family residence:

i. A maximum of two detached accessory dwelling units, provided each accessory dwelling unit has four-foot side and rear yard setbacks, a maximum height as provided in Subsections G.1.b.iii.1 to G.1.b.iii.3, and a maximum size as provided in Subsection G.1.a.ii.a, above.

2. Junior Accessory Dwelling Units.

...

e. Covenant Requirement for Junior Accessory Dwelling Unit.

The owner shall record a covenant in a form prescribed by the County, which shall run with the land for the benefit of the County and provide for the following:

...

iii. A requirement that, if the junior accessory dwelling unit shares sanitation facilities with the single-family residence, either the remaining portion of the single-family residence or the junior accessory dwelling unit must be the owner's bona fide principal residence, unless the owner is a governmental agency, land trust, or housing organization.

f. Owner Occupancy. If a property contains a junior accessory dwelling unit that shares sanitation facilities with the single-family residence, either the single-family residence or junior accessory dwelling unit shall be the principal residence of at least one legal owner of the lot, as evidenced at the time of approval of the junior accessory dwelling unit by appropriate documents of title and residency, unless the property is owned by a governmental agency, land trust, A junior accessory dwelling unit that shares sanitation facilities with the single-family residence is not permitted on a lot owned by a corporate entity.

...

SECTION 74. Section 22.140.660 is hereby amended to read as follows:

22.140.660 Motel Conversions, Temporary.

...

E. Requirements.

1. Transitional Housing. Notwithstanding other Title 22 requirements, the temporary conversion of certain existing, legally-built hotels, motels, and youth hostels to transitional housing, pursuant to this Section, shall comply with the following:

a. Residential Use. Transitional housing shall be considered a residential use, subject to only those restrictions that apply to other residential dwellings of the same type in the same zone.

b. Affordability. All dwelling units, exclusive of any manager's unit(s), shall be provided at an affordable rent for restricted to lower income households. If the project receives financing provided by a public program, the rents in the project shall be set at an amount consistent with the rent limits stipulated by the public program.

...

SECTION 75. Section 22.166.040 is hereby amended to read as follows:

22.166.040 Administrative Housing Permit.

A. Review Authority. ~~The Director is the Review Authority for an Administrative Housing Permit application, except when a discretionary or legislative application is filed concurrently with an application for an Administrative Housing Permit, in which case the Hearing Officer, the Commission, or the Board is the Review Authority for the Administrative Housing Permit.~~

1. The Director is the Review Authority for an Administrative Housing Permit application.

2. Notwithstanding Subsection A.1, above, when a discretionary or legislative application is filed concurrently with an Administrative Housing Permit application:

a. The Hearing Officer, the Commission, or the Board is the Review Authority for the Administrative Housing Permit application; and

b. The action of the Hearing Officer, the Commission, or the Board on the Administrative Housing Permit application is ministerial.

B. Application and Review Procedures.

...

2. Fees. When an Administrative Housing Permit application is filed, it shall be accompanied by the required filing fee, as shown in Table 22.250.010-A (Filing Fee Schedule) in Section 22.250.010 (Filing Fees and Deposits), except as specified otherwise in Sections 22.250.020.B (Fee Exemption and Reductions for Affordable Housing) or 22.250.020.D (Fee Exemption for Existing Mobilehome Parks).

~~a. When an Administrative Housing Permit application is filed, it shall be accompanied by the required filing fee, as shown in Table 22.250.010-A (Filing Fee Schedule), or as specified otherwise in Subsections B (Fee Exemption and Reductions for Affordable Housing) or D (Fee Exemption for Mobilehome Parks) of Section 22.250.020.~~

3. Additional Application and Review Procedures. In addition to the ministerial process set forth in this Section, an application for an Administrative Housing Permit shall be subject to the following:

- a. The application shall be in compliance with Section 22.222.060 (Multiple Applications), if applicable:-
- b. The application shall be in compliance with Subsections A, B, and D of Section 22.222.070 (Application Filing and Withdrawal):-
- c. The application shall be in compliance with Section 22.222.090 (Initial Application Review):- and
- d. ~~Projects subject to Section 22.128.200 (Supportive Housing Streamlining).~~ For projects subject to Section 22.128.200 (Supportive Housing Streamlining), the The applicant shall be notified whether the application is deemed complete within 30 days of receipt of the application.

C. Findings and Decision.

1. Denial Findings. An application that meets all the requirements for an Administrative Housing Permit shall be approved, unless any of the following is found based on substantial evidence:-

- a. Incentive. When an incentive is requested:
 - i. The incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or affordable rents for the income-restricted units;
 - ii. The incentive would have a specific adverse impact upon public health and safety, ~~or the physical environment,~~ or on any real property that

is listed in the California Register of Historical Resources, or the incentive would have a specific adverse impact for which there is a no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to acutely low, extremely low, very low, lower, or moderate income households; or

...

b. Waiver or Reduction of Development Standards. When a waiver or reduction of development standards is requested:

i. The development standard for which the applicant is requesting a waiver or reduction does not physically preclude the construction of the project at the densities or with the incentives permitted by Chapter 22.120 (Density Bonus);

ii. The waiver or reduction would have a specific adverse impact upon public health and safety, ~~or the physical environment~~, or any real property that is listed in the California Register of Historical Resources, or the waiver or reduction would have a specific adverse impact for which there is a no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or

...

c. Additional Incentive for Child Care Facility. When an additional incentive for the provision of a child care facility is requested:

i. The additional incentive for a child care facility significantly does not contribute to the economic feasibility of the construction of the child care facility;

ii. The additional incentive would have a specific adverse impact upon public health and safety, ~~or the physical environment~~, or on any real property that is listed in the California Register of Historical Resources, or the incentive would have a specific adverse impact for which there is ~~a~~no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to acutely low, extremely low, very low, lower, or moderate income households; or

...

~~d2.~~ Reduced Number of Supportive or Transitional Housing Units. An application for an Administrative Housing Permit shall be approved ~~W~~when a reduced of number of supportive or transitional housing units due to a subsidy termination is requested, pursuant to Section 22.~~128.270~~182-280 (Reduced Number of Supportive Housing Units Due to Termination of Subsidy), Section 22.130.260 (Reduced Number of Transitional Housing Units Due to Termination of Subsidy), or Section 22.140.660.E.1.i (Reduced Number of Transitional Housing Units Due to Termination of Subsidy), subject to all of the following findings:

ia. The owner has made efforts to find other sources of financial support;

iib. Any change in the number of supportive service units is restricted to the minimum necessary to maintain project financial feasibility; and

iiic. Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

23. Permit Processing Time. Where no concurrent consideration is conducted for a discretionary or legislative application, ~~a decision on an Administrative Housing Permit shall be made within the following time period:~~

a. A decision on an Administrative Housing Permit shall be made within the following time period:

i. Within 90 days of complete application submittal, if the project contains 150 or fewer dwelling units, including dwelling units permitted by any density bonus awarded; ~~or~~

ii. Within 180 days of complete application submittal, if the project contains more than 150 dwelling units, including dwelling units permitted by any density bonus awarded; ~~;~~

iii. For ~~P~~projects subject to Section 22.128.200 (Supportive Housing Streamlining); ~~;~~

i.(1) Within 60 days of complete application submittal ~~after the application is deemed complete~~, if the project contains 50 or fewer units, including dwelling units permitted by any density bonus awarded; ~~;~~ or

ii.(2) Within 120 days of complete application submittal ~~after the application is deemed complete~~, if the project contains more than 50 units, including dwelling units permitted by any density bonus; ~~;~~ or

div. Within 120 days of complete application submittal ~~after the application is deemed complete~~ for transitional housing projects, subject to Section 22.130.200 (Motel Conversions, Permanent) or Section 22.140.660 (Motel Conversions, Temporary).

b. If the applicant requests a delay in writing for projects subject to Subsections C.3.a.i, C.3.a.ii, and C.3.a.iv., above, the time period shall be tolled for the period of the delay.

34. Covenant and Monitoring Fees Required. The Review Authority, in approving an application for an Administrative Housing Permit, shall require the applicant to enter into and record a covenant and agreement with the County, as described in Section 22.166.070 (Covenant and Agreement), to ensure the ~~affordability, age restrictions, transitional housing restrictions, and/or supportive housing restrictions,~~ continuing availability of income-restricted units, transitional housing restricted units, supportive housing restricted units, age-restricted units, or child care facilities, and where applicable, require a monitoring fee, pursuant to ~~Subsection Section 22.250.010.B.3.b (Housing Permit Monitoring Fees) of Section 22.250.010.~~

4-5. Not Appealable. The Review Authority's decision on an Administrative Housing Permit is final and is not subject to Chapter 22.240 (Appeals).

...

E. Effective Date of Permit.

...

2. Notwithstanding Subsection E.1, above, when a discretionary application is considered concurrently with an Administrative Housing Permit:

...

c. Where a discretionary application decision is timely appealed to, or called for review by an Appeal Body ~~the Board~~, the Administrative

Housing Permit shall be effective the date of decision by the Appeal Body Board of such appeal or review.

...

SECTION 76. Section 22.166.050 is hereby amended to read as follows:

22.166.050 Discretionary Housing Permit.

A. Application and Review Procedures.

1. Application Checklist. The application shall contain all of the materials required by the Discretionary Housing Permit Checklist.

2. Fees. When a Discretionary Housing Permit application is filed, it shall be accompanied by the required filing fee, as shown in Table 22.250.010-A (Filing Fee Schedule in Section 22.250.010 (Filing Fees and Deposits), except as specified otherwise in Section 22.250.020.B (Fee Exemption and Reductions for Affordable Housing).

~~a. When a Discretionary Housing Permit application is filed, it shall be accompanied by the required filing fee, as shown in Table 22.250.010-A (Filing Fee Schedule), or as specified otherwise in Subsection B (Fee Exemption and Reductions for Affordable Housing) of Section 22.250.020, subject to Chapter 22.120 (Density Bonus).~~

~~b. The Director shall refer the application to the LACDA for review, pursuant to this Chapter, and the applicant shall pay directly to the LACDA the Housing Permit Evaluation Fee, as described in Subsection B.3.a of Section 22.250.010.~~

...

SECTION 77. Section 22.166.070 is hereby amended to read as follows:

22.166.070 Covenant and Agreement.

A. General. Except as specified otherwise, all projects subject to this Chapter shall have a covenant and agreement, acceptable to the LACDA, recorded by the applicant with the Registrar-Recorder/County Clerk, subject to the following:

1. Subdivision Development. No final map shall be cleared for recordation prior to the covenant recordation; and

2. Non-Subdivision Development. No building permit shall be issued prior to the covenant recordation.

AB. Affordable Housing. A covenant and agreement, acceptable to the LACDA, shall be recorded by the applicant with the Registrar-Recorder/County Clerk to ~~shall ensure the continuing availability of income-restricted units, and as applicable, transitional housing restricted units, supportive housing restricted units, age-restricted units, and child care facilities, in compliance with this Chapter, Chapter 22.119 (Affordable Housing Replacement), Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), Section 22.128.200 (Supportive Housing Streamlining), Section 22.130.200 (Motel Conversions, Permanent), and Section 22.140.660 (Motel Conversions, Temporary). All Housing Permits without a covenant and agreement that are recorded within 180 days of the Housing Permit effective date shall be null and void. No building permit shall be issued prior to the covenant recordation.~~

...

3. For-Sale Income-Restricted Units. When income-restricted units are for-sale dwelling units, the covenant and agreement shall also include owner requirements related to the following and subject to the LACDA's review and approval:

a. Policies and procedures to restrict the ~~initial~~-sale to eligible buyers, including but not limited to: provisions for owner compliance with the creation of an affirmative marketing plan and advertising on the Los Angeles County Housing Resource Center website (or any similar or replacement County database or website, as applicable); a home buyer selection plan with applicant qualification criteria; the rules and procedures for qualifying buyers; and, where applicable, establishment of affordable housing costs and affordable sales prices;

b. Provisions restricting the income-restricted units to be owner-occupied;

c. Provisions requiring owners to comply with monitoring procedures, as described in Section 22.166.080 (Monitoring of Affordable Housing); and

d. Provisions restricting the ~~initial~~-sale to eligible buyers, ~~including and requiring equity sharing with the County that states the following terms~~ where applicable:

i. If the initial sale of a dwelling unit is to an income-qualified household, equity sharing with the County is required as follows:

i.(1) Upon resale, the seller of the dwelling unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation;

~~ii.~~(2) The seller's proportionate share of appreciation shall be the total appreciation, minus the County's proportionate share of appreciation;

~~iii.~~(3) Upon resale, the County shall recapture any initial subsidy and receive the County's proportionate share of appreciation;

~~iv.~~(4) The County's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the ~~home~~-dwelling unit at the time of initial sale;

~~v.~~(5) The County's initial subsidy shall be equal to the fair market value of the ~~home~~-dwelling unit at the time of initial sale minus the sum of the initial sale price, ~~plus and~~ the amount of any ~~down payment~~ downpayment assistance or mortgage assistance. If upon resale the fair market value is lower than the initial fair market value, then the value at the time of the resale shall be used as the initial fair market value;

~~vi.~~(6) The County, or a County-designated agency, ~~or a qualified nonprofit~~ shall maintain right of first refusal on the dwelling unit for the purpose of sale ~~or rental to eligible~~ income-qualified households; and

~~vii.~~(7) All County equity-sharing proceeds shall be used within five years for any of the purposes described in section 33334.2(e) of the California Health and Safety Code that promote affordable home ownership.

~~eii.~~ Notwithstanding Subsection ~~A.3.d~~ B.3.d.i., above, if the income-restricted units are part of a community land trust, the community land trust shall maintain equity in sales of the income-restricted units to qualifying households.

iii. If an income-restricted unit is purchased by a qualified nonprofit housing corporation, the purchase shall be made pursuant to a recorded contract that satisfies all requirements in section 402.1(a)(10) of the California Revenue and Taxation Code, and includes all of the following:

(1) An affordability restriction on the sale and conveyance of the dwelling unit ensuring that the dwelling unit will be income-restricted for at least 45 years and will be sold or resold only to income-qualified households;

(2) A repurchase option that requires a subsequent purchaser of the dwelling unit, at the time of resale, to offer the qualified nonprofit housing corporation the right to repurchase the dwelling unit prior to selling or conveying that dwelling unit to any other purchaser; and

(3) An agreement between the County and the qualified nonprofit housing corporation in which the qualified nonprofit housing corporation would retain the initial subsidy and its proportionate share of appreciation provided that all of the proceeds are used to promote homeownership for lower income households within the unincorporated County.

4. Age-Restricted Units. When a housing development subject to this Subsection AB includes age-restricted units, the covenant and agreement shall include provisions to ensure the age restrictions of the income-restricted units in accordance with section 51.3 of the California Civil Code.

5. Child Care Facilities. When a housing development subject to this Subsection AB includes a child care facility, the covenant and agreement shall also

include the following to ensure compliance with subsections (A) and (B) of section 65915(h)(2) of the California Government Code:

...

c. The minimum required percentage of children of acutely low, extremely low, very low, lower, or moderate income households who attend the child care facility, which shall be equal to or greater than the percentage of dwelling units that are required for acutely low, extremely low, very low, lower, or moderate income households, pursuant to Subsection D (Additional Density Bonus or Incentive for Child Care Facility) of Section 22.120.050.

6. Transitional Housing and Supportive Housing. When a housing development subject to this Subsection AB is subject to Section 22.128.200 (Supportive Housing Streamlining) or is a transitional housing project subject to Section 22.130.200 (Motel Conversions, Permanent) or Section 22.140.660 (Motel Conversions, Temporary), the covenant and agreement shall also include:

...

BC. Senior Citizen Housing. A covenant and agreement, ~~acceptable to the LACDA, shall be recorded by the applicant with the Registrar-Recorder/County Clerk to~~ shall ensure the continuing availability of senior citizen housing, in compliance with this Chapter and Chapter 22.120 (Density Bonus). The covenant and agreement shall contain remedies for violations of the covenant and agreement and of this Section. The ~~covenant and agreement shall be recorded within 30 days of the Housing Permit effective date.~~

D. Modified Language. The applicant for a Housing Permit may request a modification to the standard language of a covenant and agreement, subject to review and approval by the LACDA.

~~EE.~~ Release of the Covenant and Agreement. ~~The A~~ covenant and agreement shall terminate and cease to be in effect, should the associated Housing Permit be terminated, pursuant to ~~Subsection~~ Sections 22.166.040.G (Termination) of Section 22.166.040 and or Subsection 22.166.050.E (Termination) of Section 22.166.050.

SECTION 78. Section 22.172.020 is hereby amended to read as follows:

22.172.020 Regulations Applicable.

Except as specified otherwise, the following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to density, use and/or standards as specified herein:

A. Continuation. A nonconforming use or a building or structure nonconforming due to density, use, and/or standards may be continuously maintained provided there is no alteration, enlargement, or addition to any building or structure; no increase in occupant load; nor any enlargement of area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Title 22.

B. Additions to a Nonconforming Use or a Building or Structure Nonconforming Due to Density, Use, and/or Standards. This Section does not authorize the extension, expansion, or enlargement of the area of land or the area within a building or structure devoted to a nonconforming use, or the alteration, enlargement of, or addition to a building or structure nonconforming due to density, use, and/or standards, or permit the addition of land, buildings, or structures used in conjunction

with a nonconforming use or a building or structure nonconforming due to density, use,
and/or standards except:

1. To the extent required by a subsequently enacted or subsequently adopted law, ordinance, or regulation, and the Director so finds. Such additions as are permitted by this Subsection B shall not be construed to extend the termination date of the subject nonconforming use, or a building or a structure nonconforming due to use.

2. Additions may be made to a building containing any dwelling unit nonconforming due to density, use, and/or standards ~~which is designed for and used as a residence without requiring any additional parking space or driveway paving;~~ provided that subject to the following where applicable: such additions neither increase the number of dwelling units in such structure, nor occupy the only portion of an area which can be used for required parking space or access thereto.

a. Such additions do not increase the number of dwelling units in such building;

b. Where such additions require the demolition of any existing parking spaces or access thereto, the same number of parking spaces and access thereto shall be replaced unless fewer parking spaces are required pursuant to Chapter 22.112 (Parking); and

c. Such additions shall not occupy the only portion of an area which can be used for required parking space or access thereto where one of the following applies:

i. The building is designed and used exclusively for multi-family housing; or

ii. The building contains commercial and residential uses, and such additions only expand the residential portion of the building.

C. Additions to a Building or Structure Nonconforming Due to Standards.

Additions may be made to a building or structure nonconforming due to standards which is not in violation of any provisions of this Title 22 and is nonconforming only because it does not meet the following standards of development as provided herein:

...

3. Parking facilities including width of access and paving, improvement, number of spaces, and landscaping of parking areas; provided, that parking spaces for such addition, increase in occupant load or expansion shall be developed pursuant to the provisions of Chapter 22.112 (Parking) if the addition is not subject to Subsection B.2, above. Such addition or expansion shall not occupy the only portion of an area which can be used for the required parking space or access thereto. Where the number of parking spaces provided prior to such addition is sufficient to comply with said Chapter 22.112 after such expansion, the existing development of such parking facilities shall be deemed to comply with this Subsection C.

...

F. Buildings or structures, for which a valid building permit has been issued prior to the effective date, or operative date where later, of the ordinance codified or General Plan adopted herein, or any amendments thereto, making such building or structure nonconforming due to density, use, and/or standards, may be completed and used in accordance with the provisions of this Title 22, provided:

...

G. Repair of Damaged or Partially Destroyed Buildings or Structures

Nonconforming Due to Density, Use, or Standards. Any building or structure nonconforming due to density, use, or standards which is damaged or partially destroyed may be restored to the condition in which it was immediately prior to the occurrence of such damage or destruction, provided:

1. That the cost of reconstruction does not exceed 100 percent of the total market value of the building or structure if the building or structure contains any dwelling unit, or 50 percent of the total market value of the building or structure for all other buildings or structures, as determined by:

...

L. The provisions of this Section shall not be construed to extend the termination date of such nonconforming uses, buildings, and structures.

~~L~~M. Notwithstanding the other provisions of this Chapter 22.172, an accessory dwelling unit or junior accessory dwelling unit in compliance with Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) may be developed on a lot containing a single-family or multi-family residence nonconforming due to density, use and/or standards so long as a residential use is permitted or conditionally permitted in the zone in which the single-family or multi-family residence is located.

SECTION 79. The Sections headings for Chapter 22.182 are hereby amended to read as follows:

Sections:

...

22.182.030 Applicability.

<u>22.182.035</u>	<u>Review Authority.</u>
22.182.040	Application and Review Procedures.
22.182.050	Findings and Decisions.
22.182.060	<u>Conditions of Approval Covenant and Agreement.</u>
22.182.070	Effective Date of Decision
22.182.080	<u>Appeals Reserved.</u>
22.182.090	Expiration of Reasonable Accommodation.
<u>22.182.100</u>	<u>Post-Decision Actions and Regulations</u>

SECTION 80. Section 22.182.010 is hereby amended to read as follows:

22.182.010 Purpose.

This Chapter implements part of the County's Housing Element in its General Plan and provides a ministerial process for reviewing requests for Reasonable Accommodations by procedure for individuals with disabilities to request Reasonable Accommodations, consistent with pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, ~~as those Acts are amended from time to time~~ including any subsequent amendments thereto. The sole intent of this Chapter is to ensure that individuals with disabilities have an equal opportunity to use and enjoy housing by allowing an accommodation or accommodations with respect to certain County regulations, policies, procedures, and standards if said accommodation or accommodations are both reasonable and necessary to provide such equal opportunity without compromising the County's commitment to protecting community character and environmental quality.

SECTION 81. Section 22.182.030 is hereby amended to read as follows:

22.182.030 Applicability.

A. This Chapter shall apply to all requirements of this Title 22 as well as all other regulations, policies, procedures, and standards regulated by the Department.

B. Any individual with a disability, someone acting on their behalf, or a provider or developer of housing for individuals with disabilities, desiring to obtain a Reasonable Accommodation in connection with a residential use pursuant to ~~accordance with this Chapter shall file an application with the Director in accordance~~ with Section 22.182.040 (Application and Review Procedures).

SECTION 82. Section 22.182.035 is hereby added to read as follows:

22.182.035 Review Authority.

A. The Director is the Review Authority for a Request for a Reasonable Accommodation.

B. Notwithstanding Subsection A, above, where a discretionary or legislative application is filed concurrently with a Request for a Reasonable Accommodation:

1. The Hearing Officer, the Commission, or the Board is the Review Authority for the Request for a Reasonable Accommodation; and

2. The action of the Hearing Officer, the Commission, or the Board on the Request for a Reasonable Accommodation is ministerial.

SECTION 83. Section 22.182.040 is hereby amended to read as follows:

22.182.040 Application and Review Procedures.

...

B. Additional Application Materials. In addition to Subsection A, above, the Director may request additional information as the Director deems reasonably

necessary where such request is consistent with the above-identified state and federal acts and the privacy rights of the individual with a disability.

C. Application and Review Procedures. In addition to the ministerial process set forth in this Chapter, an application for a Request for a Reasonable Accommodation shall be subject to the following:

1. ~~Multiple applications~~ The application shall be in compliance with Section 22.222.060 (Multiple Applications), if applicable:-

2. ~~Application filing and withdrawal~~ The application shall be in compliance with Subsections A, B, and D of Section 22.222.070 (Application Filing and Withdrawal):-

3. An applicant requesting a Reasonable Accommodation shall not be required to pay the County Environmental Assessment fee if the project that is the subject of said request qualifies for either a categorical exemption or statutory exemption under CEQA:- and

4. ~~Initial application review~~ The application shall be in compliance with Section 22.222.090 (Initial Application Review).

SECTION 84. Section 22.182.050 is hereby amended to read as follows:

22.182.050 Findings and Decision.

A. ~~Required Findings of the Director.~~ Denial Findings. The Review Authority shall approve a Request for a Reasonable Accommodation, unless any of the following is found:

1. ~~Where an application for a Request for a Reasonable Accommodation is sought in connection with a residential use for which no concurrent~~

~~application for entitlement under Title 21 (Subdivision) or this Title 22 is required, the~~
~~Director shall grant the request based upon the following findings:~~

~~a~~1. The requested accommodation is not intended to be used by an individual with a disability who resides or will reside on the property;

~~b~~2. The requested accommodation is not necessary to afford an individual with a disability equal opportunity to use and enjoy a residential use;

~~c~~3. The requested accommodation will ~~not~~ impose an undue financial or administrative burden on the County; ~~and or~~

~~d~~4. The requested accommodation will ~~not~~ require a fundamental alteration in the nature of the land use and zoning programs of the County.

~~2. The Director shall deny the application for a Request for a Reasonable Accommodation where the findings set forth in Subsection A.1, above, cannot be substantiated, and shall make written findings to that effect.~~

~~3B.~~ Removal. The Review Authority, in approving a Request for a Any Reasonable Accommodation, approval shall include the requirement require that such accommodation to be removed when it is no longer necessary for the original purpose granted, unless in the reasonable discretion of the Director the Review Authority determines that such accommodation it is so physically integrated into the property or the improvements thereon that the cost or effort to remove it would create an unreasonable hardship.

~~B. Commission or Hearing Officer Review Where Concurrent. When an application for a Request for Reasonable Accommodation is filed in conjunction with an application for a permit, variance, or any other discretionary land use entitlement as~~

~~provided by Title 21 (Subdivisions) or this Title 22, the Commission or Hearing Officer shall grant or deny the application for a Request for a Reasonable Accommodation concurrently with the decision rendered for such permit, variance, or other discretionary land use entitlement, and shall make findings addressing the criteria set forth in Subsection A, above.~~

C. Covenant and Agreement.

1. The Review Authority, in approving a Request for a Reasonable Accommodation, may require the applicant to enter into and record a covenant and agreement with the County, as described in Section 22.182.060 (Covenant and Agreement), if one of the following applies:

a. The accommodation is so physically integrated into the property or the improvements thereon that the cost or effort to remove it would create an unreasonable hardship; or

b. The accommodation is temporary.

2. The Review Authority, in approving a Request for a Reasonable Accommodation, may specify the deadline for the recordation of the covenant and agreement. In no event shall the Reasonable Accommodation be used prior to the recordation of the covenant and agreement.

D. Not Appealable. The Review Authority's decision on a Request for a Reasonable Accommodation is final and is not subject to Chapter 22.240 (Appeals).

E. Notice of Action.

1. Issuance. A notice of action on a Request for a Reasonable Accommodation shall be issued in the form of a letter or in the form of a stamp,

signature, or other official notation or documentation on the site plan, or on Exhibit "A,"
as described in Section 22.222.240 (Documentation, Scope of Approval, and Exhibit
"A") where a discretionary or legislative application is considered concurrently, subject
to the following: ~~The Commission, Hearing Officer, or Director, as applicable, shall~~
~~notify the applicant by mail of the action taken on an application for Reasonable~~
~~Accommodation. Said notice shall include the required findings.~~

a. Decision by the Director Where No Concurrent Application.

Where no concurrent application is filed, the Director shall issue the notice ~~Notice of~~
~~action on applications considered by the Director pursuant to Subsection A, above,~~
~~shall be issued within 30 days of the date of the complete application submittal, or~~
~~within an extended period as mutually agreed upon, in writing, by the applicant and~~
~~the Director.~~ ~~In addition to the applicant, a copy of the notice of action by the Director~~
~~shall be provided by mail to the property owner, owners of all property abutting the~~
~~exterior boundaries of the subject property in each direction, and owners of the closest~~
~~inhabited property to the subject property if the abutting property in such direction is~~
~~uninhabited.~~

b. Decision by the Director with Concurrent Application.

Where a ministerial application is filed concurrently, the Director shall issue the notice
of action on the Request for a Reasonable Accommodation at the same time as the
Director's decision on the concurrent ministerial application; and

~~b.c.~~ Decision by the Hearing Officer, the Commission, or the

Board. Where a discretionary or legislative application is filed concurrently, the
Hearing Officer, the Commission, or the Board shall issue the notice ~~Notice of action on~~

the Request for a Reasonable Accommodation ~~applications considered by the Commission or Hearing Officer in conjunction with another land use entitlement application pursuant to Subsection B, above, shall be provided at the same time as along with the notice of action on the concurrent discretionary or legislative application as required by Section 22.222.220 (Notice of Action). decision such other entitlement in accordance with the requirements for such other entitlement. In addition to any other persons required to receive notice of an action on the related entitlement application, a copy of the notice of action shall also be provided by mail to the property owner, owners of all property abutting the subject property, and owners of the closest inhabited property to the subject property in each direction if the abutting property in such direction is uninhabited.~~

2. ~~The notice of action shall include notice of the right to appeal, as set forth in Section 22.182.080 (Appeals).~~ Delivery. The Director shall mail the notice of action to the applicant, which includes the following:

a. Action taken on the Request for a Reasonable Accommodation;

b. Denial findings required in Subsection A, above, if applicable;

c. A requirement that the accommodation shall be removed pursuant to Subsection B, above, if applicable;

d. A requirement that a covenant and agreement shall be recorded pursuant to Subsection C, above, if applicable; and

e. A statement informing the applicant that the decision is not appealable pursuant to Subsection D, above.

SECTION 85. Section 22.182.060 is hereby amended to read as follows:

22.182.060 Conditions of Approval Covenant and Agreement.

A. ~~Recorded Agreement.~~

1. ~~The Commission, Hearing Officer, or Director may require the applicant to record, with the Registrar-Recorder/County Clerk, an agreement that the Reasonable Accommodation granted will be maintained in accordance with the terms of the Reasonable Accommodation and this Chapter as a covenant running with the land for the benefit of the County in those instances described in Subsection A.2, below. The recorded agreement shall also provide that any violation thereof shall be subject to the enforcement procedures of Chapter 22.242 (Enforcement Procedures). The recorded agreement shall also be in compliance with Section 22.222.260 (Performance Guarantee and Covenant).~~

2. ~~The Commission, Hearing Officer, or Director may require the recorded agreement described in Subsection A.1, above, if:~~

a. ~~The accommodation is physically integrated on the property and cannot feasibly be removed or altered, and the structure would otherwise be subject to Chapter 22.236 (Modification or Elimination of Conditional Use Permit Conditions); or~~

b. ~~The accommodation is temporary and required to be discontinued if no longer maintained in compliance with this Chapter.~~

A. Where applicable, a covenant and agreement, required pursuant to Section 22.182.050.C (Covenant and Agreement), shall be recorded by the applicant

with the Registrar-Recorder/County Clerk. The covenant and agreement shall include, but not be limited to, the following:

1. Duration of the accommodation;
2. Terms of the grant, including provisions regulating the maintenance or the removal of the accommodation; and
3. Provisions requiring that any violation thereof shall be subject to the enforcement procedures of Chapter 22.242 (Enforcement Procedures).

3B. Release of the Covenant and Agreement. ~~The Commission, Hearing Officer, or Director may authorize termination of the agreement to maintain the Reasonable Accommodation described in Subsection A.1, above, after making written findings that the lot is in compliance with all applicable land use and zoning regulations.~~

1. The permittee or the property owner may submit a written request to the Director to terminate or release a recorded covenant and agreement if the accommodation is no longer necessary for the original purpose granted.

2. The Director shall authorize the termination or release of the recorded covenant and agreement after making written findings that the subject property complies with all applicable land use and zoning regulations upon removal of the accommodation.

4.3. The property owner is required to record the termination or release of any the recorded covenant and agreement with the Registrar-Recorder/County Clerk provided by this Subsection A.

SECTION 86. Section 22.182.070 is hereby amended to read as follows:

22.182.070 Effective Date of Decision.

~~The Director's determination on a Request for a Reasonable Accommodation becomes effective on the 30th day following the Director's mailing of the notice of action. The decision by the Commission or Hearing Officer made in conjunction with another land use entitlements application becomes final on the latest date such related entitlements becomes effective.~~

A. The decision on a Request for a Reasonable Accommodation shall become effective the date the notice of action is issued pursuant to Section 22.182.050.E (Notice of Action).

B. Notwithstanding Subsection A, above, where a discretionary or legislative application is considered concurrently:

1. The decision on a Request for a Reasonable Accommodation shall become effective on the 15th day following the date of the decision on the concurrent application, unless an appeal of the decision on the concurrent application is timely filed, or an Appeal Body calls for review of the concurrent application decision, pursuant to Section 22.222.230 (Effective Date of Decision and Appeals) and Chapter 22.240 (Appeals);

2. Notwithstanding Subsection B.1, above, where the discretionary application is a tentative map, parcel map, or request for parcel map waiver, the decision on a Request for a Reasonable Accommodation shall become effective on the first day after the expiration of the appeal period established by section 66452.5 of the California Government Code, as set forth in Section 21.56.010 (Procedures - Submittal and Determination) of Title 21 of the County Code, unless an appeal of the

decision on the tentative map, parcel map, or request for parcel map waiver is timely filed, pursuant to Section 21.56.010 (Procedures - Submittal and Determination) of Title 21 of the County Code; and

3. Where the discretionary application decision is timely appealed to, or called for review by an Appeal Body, the decision on a Request for a Reasonable Accommodation shall become effective on the date of decision by the Appeal Body of such appeal or review.

SECTION 87. Section 22.182.080 is hereby deleted in its entirety and amended to read as follows:

22.182.080 ~~**Appeals Reserved.**~~

SECTION 88. Section 22.182.090 is hereby amended to read as follows:

22.182.090 **Expiration of Reasonable Accommodation.**

A. A Reasonable Accommodation which is not used within the time specified in the notice of action or, if no time is specified, within two years after the date of grant of the Reasonable Accommodation, shall expire and be of no further effect, except that:

...

2. In the case of a Reasonable Accommodation granted concurrently and in conjunction with an associated entitlement that requires a discretionary or legislative action ~~another land use entitlement~~, the Hearing Officer, the Commission, or Hearing Officer the Board may extend the time to use it to correspond with any extensions granted for the use of ~~such related~~ the associated entitlements.

...

C. A Reasonable Accommodation shall automatically cease to be of any further force and effect if the use for which such accommodation was granted has ceased or has been suspended for a consecutive period of two or more years and may be required to be physically removed in accordance with Section 22.182.050.B
(Removal)A.3.

SECTION 89. Section 22.182.100 is hereby deleted in its entirety.

~~**22.182.100** **Post-Decision Actions and Regulations.**~~

SECTION 90. Section 22.194.020 is hereby amended to read as follows:

22.194.020 **Applicability.**

A variance may be granted to permit modification of the following where mandated by this Title 22:

A. Building line setbacks, yards, open space, and buffer areas.

B. Height, lot coverage, ~~density~~, and bulk regulations.

...

SECTION 91. Section 22.250.010 is hereby amended to read as follows:

22.250.010 **Filing Fees and Deposits.**

A. For the purpose of defraying the expense involved with any application or petition required or authorized by this Title 22, the following fees, as provided in Table 22.250.010-A, below, shall accompany the application or petition. Table 22.250.010-A may be referred to as the Filing Fee Schedule.

TABLE 22.250.010-A: FILING FEE SCHEDULE		
...		

TABLE 22.250.010-A: FILING FEE SCHEDULE		
Historic District Nomination	Application	\$13,083
Housing Permit	Administrative	\$3,437
	Discretionary	\$4,906
...		
Rebuild Letter		\$497
...		
Variance	Application	\$14,399
	Time extension	\$1,913
Yard Modification	Including Reasonable Accommodation	\$3,215
...		

B. Additional Fees.

...

3. ~~Housing Permits LACDA~~. In addition to the required filing fees in Subsection A, above, an applicant for a Housing Permit (Chapter 22.166) shall pay directly to the LACDA the following fees and deposits, except as specified otherwise by State law:

a. Covenant and Agreement. Any fees or deposits required by the LACDA associated with the preparation of a covenant and agreement as required in Section 22.166.070 (Covenant and Agreement); and ~~Housing Permit Evaluation Fee~~. The applicant shall pay directly to the LACDA a one-time fee in the amount of \$2,379 for the LACDA's review of a Housing Permit (Chapter 22.166) application.

b. Housing Permit Monitoring Fees. Any fees or deposits required by the LACDA to defray the ongoing monitoring costs to ensure the continuing availability of income-restricted units, transitional housing restricted units, supportive housing restricted units, age-restricted units, or child care facilities. ~~The applicant for an approved Housing Permit (Chapter 22.166) shall be required to pay monitoring fees directly to the LACDA, as follows:~~

i. ~~An amount equal to \$170 × 55 years per unit of the rental affordable housing set aside, except that for housing developments with more than 10 affordable housing set aside units, the fee shall be the same amount as a housing development with 10 affordable housing set aside units. The fee may be paid annually or capitalized as a one-time lump sum payment, as approved by the LACDA;~~

ii. ~~A one-time lump sum in the amount of \$2,934 per unit of the for-sale affordable housing set aside;~~

iii. ~~One-time lump sum payments shall be made prior to covenant and agreement recordation. Annual payments require execution of a fee schedule with the LACDA; and~~

iv. ~~Such fees shall be deposited into a LACDA account from which costs shall be deducted by the LACDA to defray the ongoing monitoring costs.~~

...

SECTION 92. Section 22.250.020 is hereby amended to read as follows:

22.250.020 **Fee Waivers, Exemptions, and Reductions.**

...

B. Fee Exemption and Reduction for Affordable Housing. An applicant for a Housing Permit (Chapter 22.166) may request an exemption from, or a reduction in, the payment of any planning and zoning fees or deposits, if a housing development provides income-restricted units, pursuant to Chapter 22.120 (Density Bonus), Chapter 22.121 (Inclusionary Housing), Section 22.128.200 (Supportive Housing Streamlining), Section 22.130.200 (Motel Conversions, Permanent), or Section 22.140.660 (Motel Conversions, Temporary) subject to the following:

1. Fee Exemption. Request for a fee exemption shall be granted, if the housing development consists solely of dwelling units, exclusive of a manager's unit or units, that are affordable to acutely low, extremely low, very low, lower, or moderate income households.

...

D. Fee Exemption for Existing Mobilehome Parks. An applicant who seeks to continue the operation of an existing legally established ~~for a mobilehome park~~ may request an exemption from the payment of the fees or deposits provided in Section 22.250.010 (Filing Fees and Deposits) incurred by the Department, provided that no expansion or enlargement is proposed. This Subsection D does not authorize any exemption from, or reduction in, the payment of fees or deposits incurred by other County departments or agencies.

SECTION 93. Section 22.256.040 is hereby amended to read as follows:

22.256.040 Temporary Housing.

Notwithstanding any contrary provisions in this Title 22, temporary housing shall be permitted, subject to the following standards:

A. Temporary housing shall be limited to the following eligible dwelling units:
a single-family residence, an accessory dwelling unit, a caretaker's residence, or a
single-family residence for a farmworkers dwelling unit.

...

SECTION 94. The Sections headings for Chapter 22.268 are hereby
amended to read as follows:

22.268.010 Applicability.

22.268.020 ~~Amount~~ Fee Rates.

22.268.030 ~~Calculation~~ Annual Fee Rates Update.

22.268.040 ~~Timing of Payment~~ Use of Fees.

~~22.268.050 Annual Fee Update.~~

~~22.268.060 Use of Fees.~~

SECTION 95. Section 22.268.010 is hereby amended to read as follows:

22.268.010 Applicability.

This Section applies to projects eligible to pay an affordable housing replacement
fee pursuant to Section 21.16.100.C.2 (Affordable Housing Replacement Fee) of Title
21 and Section 22.119.0560.EC (Affordable Housing Replacement Fee).

SECTION 96. Section 22.268.020 is hereby amended to read as follows:

22.268.020 ~~Amount~~ Fee Rates.

~~A. The amount shall be the applicable replacement fee per square foot
multiplied by the gross floor area of the units requiring replacement. If the square
footage of the units requiring replacement is not known, a per-unit fee shall apply.~~

~~B. The fees shall be applied by submarket area, as defined in Section 22.14.010.A under "Affordable housing and senior citizen housing" and in accordance with Table 22.268.020-A.~~

Table 22.268.020-A, below, identifies the rates used to calculate the amount of an affordable housing replacement fee pursuant to Section 21.16.100.C.2 (Affordable Housing Replacement Fee) of Title 21 and Section 22.119.060.C (Affordable Housing Replacement Fee).

TABLE 22.268.020-A: AFFORDABLE HOUSING REPLACEMENT FEES		
Effective March 1, 2025		
Submarket Area ¹	Fee Rate Per Square Foot of Gross Building Area	Fee Rate Per Unit
...		
Notes: 1. As defined in Section 22.14.010 under "Affordable housing and senior citizen housing."		

SECTION 97. Section 22.268.030 is hereby amended to read as follows:

22.268.030 Calculation Annual Fee Rates Update.

~~The replacement fee shall be calculated using the effective rate on the date the complete permit application for the principal project is submitted to the Department.~~

The Director shall administratively update the rates in Table 22.268.020-A of Section 22.268.020 (Fee Rates) annually based on the increase in the Construction Costs Index (CCI) published by Engineering News Record for Los Angeles, or a similar construction industry index selected by the Department in the event the CCI is discontinued.

SECTION 98. Section 22.268.040 is hereby amended to read as follows:

22.268.040 ~~Timing of Payment~~ Use of Fees.

A. ~~— If no discretionary approval is associated with the project, the replacement fee shall be due and payable prior to approval of the principal project by the Department.~~

B. ~~— If the project requires a discretionary approval other than a land division, the replacement fee shall be due and payable concurrently with fees submitted pursuant to Section 22.222.260.B (Performance Guarantee and Covenant).~~

C. ~~— If the project is a land division, the replacement fee shall be due and payable with final map submittal, pursuant to Section 21.44.050 (Materials required for submittal) in Title 21 (Subdivisions).~~

Fees collected pursuant to this Chapter shall be used by the County, a County-designated agency, or a qualified nonprofit for any of the purposes described in section 33334.2(e) of the California Health and Safety Code within three years of collection. Such funds shall be expended within the unincorporated areas, with priority given to the same submarket area of the project.

SECTION 99. Section 22.268.050 is hereby deleted in its entirety.

~~22.268.050 Annual Fee Update.~~

SECTION 100. Section 22.268.060 is hereby deleted in its entirety.

~~22.268.060 Use of Fees.~~

SECTION 101. Section 22.300.020 is hereby amended to read as follows:

22.300.020 Application of Planning Area Standards Districts and Community Standards Districts to Property.

...

C. Modifications Authorized. Development Standards specified in this Division 10 may be modified subject to Chapter 22.160 (Conditional Use Permits, Minor) except where the project is subject to:

1. Chapter 22.158 (Conditional Use Permits);
2. Chapter 22.166 (Housing Permits);
3. Chapter 22.176 (Minor Parking Deviation);
4. Chapter 22.178 (Parking Permit); or
5. Other modification procedures specified in this Division 10.

D. Exception. Notwithstanding any contrary provision in this Division 10, additions may be made to a single-family residence without requiring any additional parking space, provided that such additions do not cause the single-family residence to exceed any maximum size limit imposed by the applicable development standards, including, but not limited to, height, lot coverage, and floor area.

SECTION 102. Section 22.336.090 is hereby amended to read as follows:

22.336.090 Area Specific Development Standards.

A. Topanga Canyon Area.

...

4. Development Standards.

...

d. Additional Standards. The construction of residential units on a lot of less than one acre within a small lot subdivision shall be subject to the following development standards:

i. For the construction of residential units on a lot of 5,000 square feet or more, the maximum gross structural area shall be equal to 20 percent of the area of the lot. Construction of residential units on a lot of less than 5,000 square feet shall be subject to the following slope intensity formula:

...

~~(d) The floor area requirement for single-family residences contained in Section 22.140.580.C (Minimum Floor Area) shall not apply.~~

~~(e-d)~~ All residences approved in small lot subdivisions by the slope intensity formula shall be subject to an improvement condition requiring that any future additions or improvements to the property shall be subject to an additional review by the Director.

...

SECTION 103. Section 22.364.080 is hereby amended to read as follows:

22.364.080 East Los Angeles Community Standards District.

...

B. CSD Area-Wide Development Standards.

...

2. Nonconforming Residential Dwelling Units. The termination period or periods set forth in Section 22.172.050 (Termination Conditions and Time Limits) that would otherwise apply to residential dwelling units shall not apply to any nonconforming residential dwelling units in the East Los Angeles CSD.

~~a. The termination period or periods set forth in Section 22.172.050 (Termination Conditions and Time Limits) that would otherwise apply to~~

~~residential dwelling units shall not apply to any nonconforming residential dwelling units in the East Los Angeles CSD.~~

~~b. Any single, two, or multi-family residential building or structure nonconforming due to use which is damaged or destroyed may be restored to the condition in which it was immediately prior to the occurrence of such damage or destruction, provided the cost of reconstruction does not exceed 100 percent of the total market value of the building or structure, as determined by the methods set forth in Section 22.172.020.G.1.a and b and provided the reconstruction complies with the provisions of Section 22.172.020.G.2.~~

...