A New Zoning Code for a 21st Century Los Angeles

To create livable communities, encourage sustainable development and foster economic vitality, we need a modern and user-friendly zoning code – we need to re:code LA.

Refresher on Current Zoning Code Processes

Zoning Advisory Committee Presentation

December 9, 2015
Purpose of Presentation

• Recap of current Zoning Code processes

• Highlights of problems

• Changes being sought
# Ministerial (“by right”) or Discretionary?

<table>
<thead>
<tr>
<th>Ministerial Action</th>
<th>Discretionary Action</th>
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</thead>
<tbody>
<tr>
<td>• Project conforms to Code</td>
<td>• Requires exercise of judgment or deliberation</td>
</tr>
<tr>
<td>• Precise, fixed or quantified standards (Plan Check)</td>
<td>• Subjective standards</td>
</tr>
<tr>
<td>• Permit can be legally compelled</td>
<td>• Ability to shape or deny project</td>
</tr>
</tbody>
</table>
### Current Discretionary Zoning Actions (page 1)

<table>
<thead>
<tr>
<th>DISPOSITION</th>
<th>LAND</th>
<th>ASSOCIATION SECTION</th>
<th>BOARD OF COMMISIONER</th>
<th>LAND USE PERMITTED</th>
<th>APPROVED</th>
<th>RESOLVED</th>
<th>COMPLETED IN 30 DAYS</th>
<th>COMPLETED IN 45 DAYS</th>
<th>COMPLETED IN 60 DAYS</th>
<th>COMPLETED IN 90 DAYS</th>
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<tbody>
<tr>
<td>1.01</td>
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</tbody>
</table>

Note: The table continues with more entries.
### Current Discretionary Zoning Actions (page 2)

<table>
<thead>
<tr>
<th>Action Description</th>
<th>Site Name</th>
<th>Action Type</th>
<th>Action Details</th>
<th>Public Hearing Date</th>
<th>Action Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example 1</td>
<td>Site A</td>
<td>Zoning</td>
<td>New Zoning District</td>
<td>2023-01-15</td>
<td>2023-03-10</td>
</tr>
<tr>
<td>Example 2</td>
<td>Site B</td>
<td>Conditional Use Permit</td>
<td>New Building</td>
<td>2023-02-10</td>
<td>2023-04-01</td>
</tr>
</tbody>
</table>

**Notes:**
- All actions require a public hearing before approval.
- Conditional Use Permits require a review by the Planning Commission.
- Zoning District changes require a General Plan Amendment.

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**PlanR code:**
- Zoning District
- Conditional Use Permit
- General Plan Amendment
Extensive & Complicated

• Months to compile

• Recently updated with processes not previously included

• Over 100 different processes

• Requires substantial expertise to navigate
Processes Driven by Who Makes the Decision

- Director (DIR)
- Zoning Administrator (ZA)
- Advisory Agency (AA)
- Area Planning Commission (APC)
- City Planning Commission (CPC)
- City Council - Legislative
Examples of Initial Decisions by Director

- Specific Plan project permits, adjustments, modifications, interpretations
- Parking Reduction near Transit
- Supplemental Use District project approvals, relief
- Individual Zone Boundary/Height District Adjustments
- Adjustment of C or M & P or PB Zone Boundaries
- Private Street Map
- Clarification of Q or D
- Site Plan Review
- Coastal Development Permit
- Density Bonus (on-menu)
- Downtown Design Guide Adjustments
- TFAR, less than 50,000 s.f.
- Revocations & Revocation Compliance Review
- Design Review
- HPOZ Certificate of Appropriateness (add, alt, recons)
- HPOZ Certificate of Compatibility
- HPOZ Conforming Work Contributing Elements
- HPOZ Conforming Work Non-contributing Elements
Examples of Initial Decisions by Zoning Administrator

- Conditional Use
- Conditional Use, Reduction of Site
- Vesting Conditional Use
- Adjustment
- Slight Modification
- Determination
- Interpretation
- Variance
- Plan Approval, Conditional Use or Variance
- Eldercare Facility Unified Permit
- Revocations
- Combinations of above with Director decisions
Examples of Initial Decisions by Advisory Agency

- Preliminary Parcel Map
- Parcel Map Exemption (lot line adjustment)
- Parcel Map Modification
- Parcel Map Violation
- Parcel Map Waiver
- Certificate of Compliance
- Private Street Map
- Tentative Tract Map
- Vesting Tentative Tract Map
- Tract Map Modification
- Air Space in Parcel & Tract Maps
Examples of Initial Decisions by Area Planning Commission

- Conditional Use
- Vesting Conditional Use
- Conditional Use, Reduction of Site
- Conditional Use, Plan Approval
- Specific Plan Exception
- HPOZ Certificate of Appropriateness (demo, remove, relocate)
- Combinations of above with ZA or Director decisions
APC Recommendations to City Council

Smaller requests (less than 50,000 s.f. of nonresidential floor area, less than 50 DU or guest rooms, or no proposed project on lot less than 65,000 s.f.), except projects considered with General Plan Amendments.

If APC recommends denial, no further action. Applicant may appeal to the City Council.
Examples of Initial Decisions by City Planning Commission

- Conditional Use
- Vesting Conditional Use
- Conditional Use, Reduction of Site
- Conditional Use, Plan Approval
- Parking Waiver
- Density Bonus over 35% or off-menu
- Floor Area Bonus over 35% (GDTHIA*)
- Public Land Use Determination
- HPOZ Preservation Plan
- HPOZ Preservation Plan Amendment
- Combinations of above with APC, ZA or Director decisions

* Greater Downtown Housing Incentive Area
## CPC Recommendations to City Council

If CPC recommends denial, no further action. Applicant may appeal to the City Council.

<table>
<thead>
<tr>
<th>Zone Change</th>
<th>Vesting Zone Change</th>
<th>Height District Change</th>
<th>Building Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific Plan, Establishment</td>
<td>Specific Plan Amendment</td>
<td>TFAR, 50,000 s.f. or greater</td>
<td>Supplemental Use District, Establishment</td>
</tr>
<tr>
<td>HPOZ, Establishment or Boundary Change</td>
<td>General Plan Update or Amendment</td>
<td>Code Amendments</td>
<td>Multiple Approvals with Legislative Component</td>
</tr>
</tbody>
</table>
Decisions by City Council

- Zone Change
- Vesting Zone Change
- Height District Change
- Building Line Incident to Zone Change or Subdivision
- Specific Plan, Establishment
- Specific Plan Amendment
- Supplemental Use District, Establishment
- TFAR – 50,000 s.f. or greater
- HPOZ, Establishment or Boundary Change
- General Plan Amendment, Update
- Final Parcel and Tract Maps, ready for recordation
- Code Amendments
Multiple Paths to Reduced Parking Requirement

1. Bicycle parking replacement of required automobile parking [Section 12.21.A]
2. Remote Off-Site Parking or Transportation Alternatives [Section 12.21.A.4(y)]
3. Parking Waiver by CPC authority, delegated to Director [Section 12.21.A.4(o)]
4. Senior/Disabled Housing [Section 12.21.A.4(u)]
5. Density Bonus [Section 12.22A.25]
6. Conditional Use for Senior/Disabled Housing to further reduce from Section 12.21.A.4(u) [Section 12.24.W. 38]
7. Zoning Administrator’s Determination [Section 12.24.X]
   • Commercial uses with parking management alternatives in C & M Zones [Section 12.24.X.17]
   • Showcase theaters [Section 12.24.X.18]
   • Reduced parking [Section 12.24.X.19]
   • Shared parking [Section 12.24.X.20]
   • Reduction in Modified Parking Requirement District [Section 12.24.X.30]
8. Special Permission by Director Near Transit [Section 12.24.Y]
9. Zone Variance [Section 12.27]
10. Minor Changes by City Council Incident to Legislative Actions [12.32.P]
Multiple “Time to Act” Periods

• Typically decision-maker or recommending body must act within 75 days

• Other limits on time to act:
  • 20 days (ex: Community Design Overlay Plan Approval)
  • 21 days (ex: Design Review Board, HPOZ Conforming Work)
  • 25 days (ex: Pedestrian Oriented District Determination)
  • 30 days (ex: Parcel Map decisions)
  • 50 days (ex: Tract Map decisions)
  • 60 days (+ 45 days by mutual consent) (ex: Site Plan Review)
  • 90 days (ex: General Plan Amendment)

• Time to act may be extended by mutual consent
Multiple Appeal Periods

• Most decisions are appealable within 15 days of the decision date

• Other appeal periods:
  • 10 days (ex: Coastal Development Permit, Tract Maps & Modifications)
  • 20 days (ex: Clarification of Q or D Conditions)
Deficiencies in a Nutshell

**Inconsistencies:**
- Similar procedures scattered throughout the Code
- Similar procedures follow inconsistent paths
- Multiple paths to similar outcomes

**Gaps:**
- No opportunity for alternative compliance – must apply for relief
- No ministerial actions that can be handled at public counter
- No coherent process for modifying existing entitlements
Objectives for Future Changes

• Standardize work flows

• Simplify presentation of procedures

• Consolidate similar actions into broader processes

• Add new tools to evaluate projects