ORDINANCE NO. 184827

An ordinance amending Sections 12.04, 12.32, 13.20, and 16.05 of the Los Angeles Municipal Code in order to establish a "HCR" Hillside Construction Regulation supplemental use district that may be applied to regulate the construction of single-family homes in hillside areas.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Subsection D of Section 12.04 of the Los Angeles Municipal Code is hereby amended to read as follows:

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provisions of Article 3 of this chapter.

"O"	Oil Drilling District
"S"	Animal Slaughtering District
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District "CA" Commercial and Artcraft District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
"RFA"	Residential Floor Area District
"NSO"	Neighborhood Stabilization Overlay District
"CPIO"	Community Plan Implementation Overlay District
"HS"	Hillside Standards Overlay District
"MPR"	Modified Parking Requirement District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District
"RG"	Rear Detached Garage District
"HCR"	Hillside Construction Regulation District

The "Zoning Map" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K" Equinekeeping District, "CA" Commercial and Artcraft District, "POD" Pedestrian Oriented District, "CDO" Community Design Overlay District, "MU" Mixed Use 4 District, "FH" Fence Height District, "SN" Sign District, "RFA"

Residential Floor Area District, "NSO" Neighborhood Stabilization Overlay District, "CPIO" Community Plan Implementation Overlay District, or "RIO" River Improvement Overlay District, "CUGU" Clean Up Green Up Overlay District, "RG" Rear Detached Garage District or "HCR" Hillside Construction Regulation District is also classified in one or more zones, and land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "Zoning Map," with a combination of symbols, e.g., R2-2-O, C2-4-S, M1-3-G, M1-1-P and R2-O, C2-G, etc., where height districts have not been established.

Sec. 2. Paragraph 2 of Subsection S of Section 12.32 of the Los Angeles Municipal Code shall be amended to add a new "HCR" Hillside Construction Regulation Supplemental Use District.

2. **Districts.** In order to carry out the provisions of this article the following districts are established:

"O"	Oil Drilling District
"S"	Animal Slaughtering District
"G"	Surface Mining District
"RPD"	Residential Planned Development District
"K"	Equinekeeping District "CA" Commercial and Artcraft District
"CA"	Commercial and Artcraft District
"POD"	Pedestrian Oriented District
"CDO"	Community Design Overlay District
"MU"	Mixed Use District
"FH"	Fence Height District
"SN"	Sign District
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"HS"	Hillside Standards Overlay District
"MPR"	Modified Parking Requirement District
"RIO"	River Improvement Overlay District
"CUGU"	Clean Up Green Up Overlay District
"RG"	Rear Detached Garage District
"HCR"	Hillside Construction Regulation District

Sec. 3. The table of contents preceding Section 13.00 of the Los Angeles Municipal Code is amended to read as follows:

Section
13.01 "O" Oil Drilling Districts.
13.02 "S" Animal Slaughtering Districts.

13.03 "G" Surface Mining Operations Districts.
13.04 "RPD" Residential Planned Development Districts.
13.05 "K" Equinekeeping Districts.
13.06 Commercial and Artcraft Districts.
13.07 Pedestrian Oriented District.
13.08 "CDO" Community Design Overlay District.
13.09 Mixed Use District.
13.10 Fence Heights District.
13.11 "SN" Sign District.
13.12 "NSO" Neighborhood Stabilization Overlay District.
13.13 "RFA" Residential Floor Area District.
13.14 "CPIO" Community Plan Implementation Overlay District.
13.15 "MPR" Modified Parking Requirement District.
13.16 "HS" Hillside Standards Overlay District.
13.17 "RIO" River Improvement Overlay District.
13.18 "CUGU" Clean Up Green Up Overlay District.
13.19 "RG" Rear Detached Garage District.
13.20 "HCR" Hillside Construction Regulation District.
13.21 Violation.

Sec.4. Section 13.20 of the Los Angeles Municipal Code shall be renumbered as Section 13.21 and a new Section 13.20 shall be inserted to read as follows:

SEC.13.20. "HCR" HILLSIDE CONSTRUCTION REGULATION DISTRICT.

A. **Purpose.** This section sets forth procedures and guidelines for the establishment of the Hillside Construction Regulation (HCR) District in residential areas of the City. The purpose of the HCR District is to impose more restrictive grading limits and hauling operation standards than what is generally permitted by this Code in areas where the proposed district is adopted, thus reducing construction impacts.

B. **Establishment of the District.** The procedures set forth in Section 12.32 S of this Code shall be followed, however, each HCR District shall include only properties in residential zones. Boundaries shall be along street frontages and shall not split parcels. A HCR District may encompass an area which is designated, in whole or in part, as a Historic Preservation Overlay Zone (HPOZ) and/or Specific Plan. The HCR District shall include contiguous parcels, which may only be separated by Streets, ways or alleys or other physical features, or as set forth in applicable rules approved by the Director of Planning. Precise boundaries are required at the time of application to expand or create a HCR District.

C. **Relationship to other Zoning Regulations.** Unless the provisions of this section state otherwise, the underlying base zone regulations applicable to

a given project in a HCR District shall prevail pursuant to Sections 12.03, 12.04, 12.05, 12.07.01, 12.07.1, 12.08, 12.21, 12.23 and 12.32. Where the provisions of the HCR District conflict with those of a Specific Plan or HPOZ, then the provisions of the Specific Plan or HPOZ shall prevail. If provisions of the HCR District conflict with any other City-wide regulations in this Code or with provisions of other supplemental use districts other than the Specific Plan or HPOZ, then the requirements of the HCR shall prevail.

D. **Development Regulations.** Single-family home developments within a HCR District shall comply with each of the following Grading, Hauling and Hauling Operation Standards, as applicable:

1. **Maximum Grading.** For any single lot, the total cumulative quantity of Grading, or the total combined value of both Cut and Fill for the import and export of earth, or incremental Cut and Fill for Import and Export of earth shall be limited to the "by-right" maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.

2. **Maximum Import and/or Export for Hillside Areas Fronting Substandard Streets.** For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75 percent of the "by-right" maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.

3. **Hauling Truck Trips.** A maximum of four trucks are permitted to haul per hour per project site. A grouping or convoy of hauling vehicles shall not be allowed; only one hauling vehicle is permitted per project site at any one time.

4. **Hauling Truck Operations.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following hauling operation standards shall be met:

(a) Projects required to obtain a Haul Route approval from the Board of Building and Safety Commissioners for the import and/or export of 1,000 cubic yards or more of earth material shall prominently post the final action letter with the approved Haul Route staff report on the job site at all times.

(b) No grading shall be performed within any areas designated "hillside" unless a copy of the grading permit is prominently posted on the job site at all times.

(c) All hauling vehicles must be identified by a placard identifying the project address which shall be prominently displayed on each hauling vehicle.

5. **Equipment.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following equipment standards shall be met:

(a) 10-wheeler dump trucks (with a 10 cubic yard capacity) or smaller are the only type of trucks permitted for hauling of earth. Notwithstanding the foregoing, the Board of Building and Safety Commissioners may authorize the use of other types of hauling vehicles for a project through the Haul Route approval process.

(b) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.

6. **Operating Hours and Construction Activity.** Compliance with each of the following standards shall be required for all projects in a HCR District requiring the issuance of a grading or building permit. However, if a Haul Route approval by the Board of Building and Safety Commissioners is required for import and/or export of 1,000 cubic yards or more, then the conditions set by the Board of Building and Safety Commissioners during the Haul Route approval process shall prevail and the following standards shall not apply.

(a) Hauling operations shall be conducted only on Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m. Hauling operations on Saturdays, Sundays, or state or federal designated holidays is strictly prohibited.

(b) Haul trucks shall be staged off-site and outside of the HCR District. As deemed necessary, the Board of Building and Safety Commissioners may permit staging on-site or in any alternate staging area by special condition during the Haul Route Approval process.

(c) Construction activity shall be limited to Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. Exterior construction work at any other time is strictly prohibited. However, interior construction work may be conducted on Saturdays between the hours of 8:00 a.m. to 6:00 p.m. Excess exterior illumination of the site through the use of flood lights and/or similar lighting devices is strictly prohibited after 6:00 p.m. on any day of the week.

(d) A log noting the dates of hauling activity and the number of hauling truck trips per day shall be available on the job site at all times.

(e) The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.

(f) Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.

(g) Streets shall be cleaned of spilled materials at the termination of each workday.

(h) "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit from the project site in each direction.

(i) Flag person(s) shall be required for all project sites. Flag persons with radio control and warning signs shall be in compliance with the latest edition of the "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area.

7. **Review Procedures for single-family home developments larger than 17,500 square feet.** The construction, erection, addition to, enlargement of or reconfiguration of any one-family dwelling that has a cumulative Residential Floor Area of 17,500 square feet or larger shall submit an application for a Site Plan Review before the issuance of related permits and entitlements. Application procedures and processing of the application shall be pursuant to Section 16.05 of the Los Angeles Municipal Code.

Sec. 5. Paragraph 2 of Subsection B of Section 16.05 of the Los Angeles Municipal Code is hereby amended to read as follows:

2. **Discretionary Approval.** An approval initiated by application of a property owner or representative related to the use of land including, but not limited to a:

(a) zone change;

(b) height district change;

(c) supplemental use district;

(d) conditional use approval;

(e) use, area or height variance;

(f) parcel map;

(g) tentative tract map;

(h) coastal development permit;

(i) development agreement;

(j) adjustments;

(k) density bonus greater than the minimums pursuant to Government Code Section 65915;

(l) density transfer plan;

(m) exception from a geographically specific plan;

(n) project permit pursuant to a moratorium or interim control ordinance;

(o) public benefit projects; or

(p) floor area deviation of less than 50,000 square feet pursuant to 14.5.7 of Article 4.5 of the Los Angeles Municipal Code.

(q) single-family dwelling with a cumulative Residential Floor Area of 17,500 square feet or larger within the HCR District pursuant to 13.20 of Article 3 of the Los Angeles Municipal Code.

Sec. 6. Paragraph 1 of Subsection C of Section 16.05 of the Los Angeles Municipal Code is hereby amended to read as follows:

1. **Site Plan Review.** No grading permit, foundation permit, building permit, or use of land permit shall be issued for any of the following development projects unless a site plan approval has first been obtained pursuant to this section. This provision shall apply to individual projects for which permits are sought and also to the cumulative sum of related or successive permits which are part of a larger project, such as

piecemeal additions to a building, or multiple buildings on a lot, as determined by the Director.

(a) Any development project which creates, or results in an increase of, 50,000 gross square feet or more of nonresidential floor area.

(b) Any development project which creates, or results in an increase of, 50 or more dwelling units or guest rooms, or combination thereof.

(c) Any change of use to a Drive-Through Fast-food Establishment or any change of use to a Fast-food Establishment, either of which results in a net increase of 500 or more average daily trips as determined by, and using the trip generation factors promulgated by the Department of Transportation.

(d) Any change of use other than to a Drive-Through Fast-food Establishment or to a Fast-food Establishment which results in a net increase of 1,000 or more average daily trips as determined by, and using the trip generation factors promulgated by the Department of Transportation.

(e) Any residential (including Apartment Hotel or mixed-use) building located within the Greater Downtown Housing Incentive Area.

(f) Any single-family residential development with a cumulative Residential Floor Area of 17,500 square feet or larger located in the HCR District.

This subdivision shall not apply to one-family dwellings located outside of a HCR District.

Sec. 7. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: The proliferation of out-of-scale developments in single-family residential neighborhoods throughout the City poses a current and immediate threat to the public welfare, including degradation of neighborhood character, loss of neighbors' privacy, curtailment of development potential, and negative impacts to aesthetics and general quality of life; and that allowing the Interim Control Ordinances that were adopted by the City Council on March 25, 2015, to expire without providing for the adoption of permanent, context-sensitive R1 zones would result in that threat to the public welfare. For these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 8. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members, at its meeting of MAR 22 2017.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved MAR 28 2017

_____
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
ADRIENNE S. KHORASANEE
Deputy City Attorney

Date March 16, 2017

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted

March 16 2017

See attached report.

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Vincent P. Bertoni, AICP
Director of Planning

File No. CF 16-1472-S1

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