



Planning Commission Report

Planning Commission Meeting: February 19, 2020

Agenda Item: 6-A

To: Planning Commission

From: Jing Yeo, AICP, City Planning Division Manager

Subject: Proposed amendments to the text of the Land Use and Circulation Element, Bergamot Area Plan, and Downtown Community Plan to amend the application process thresholds for 100% affordable housing projects and all other housing projects compliant with the Housing Accountability Act.

Recommended Action

Staff recommends that the Planning Commission adopt a Resolution recommending that the City Council amend the text of the Land Use and Circulation Element, Bergamot Area Plan, and Downtown Community Plan to amend the application process thresholds for 100% affordable housing projects and all other housing projects compliant with the Housing Accountability Act.

Background

On December 10, 2019, Council held a study session regarding housing policy in light of State and Regional directives regarding housing production. Among other things, Council directed staff proceed with efforts to support housing production, particularly 100% affordable housing.

The Land Use and Circulation Element (LUCE) was adopted by City Council on July 6, 2010. The LUCE sets forth development parameters for each land use designation including process thresholds for Tier 1, Tier 2, and Tier 3 projects. For example, the LUCE states that Tier 1 projects are ministerial up to the discretionary review threshold established in the zoning ordinance. Similarly, 100% affordable housing projects are identified as being only subject to administrative review if they do not exceed 50 units. While helpful in providing guidance for implementation, such process thresholds are already in the zoning ordinance and not necessary in the LUCE. As part of the implementation of the LUCE, the Bergamot Area Plan (BAP) was adopted by City Council in September 2013. The Plan includes the same process thresholds as the LUCE.

The Downtown Community Plan (DCP) was adopted by City Council in July 2017 and included housing production incentives by way of more generous process thresholds in Section 9.10.050 of the DCP, shown as follows:

	Housing Project	All Other Projects
Administrative Approval	Projects up to 75,000 sf	Less than 10,000 sf
Development Review Permit	Tier 2 greater than 75,000 sf	10,000 – 30,000 sf
	Tier 3 between 75,000-90,000 sf	
Development Agreement	Tier 3 greater than 90,000 sf	Greater than 30,000 sf

On February 5, 2020, the Commission adopted a Resolution of Intention to consider amendments to the LUCE, BAP, and DCP to amend application process thresholds for 100% affordable housing projects and all other housing projects compliant with the Housing Accountability Act.

Discussion

Proposed amendments to the LUCE, BAP, and DCP to allow 100% affordable housing projects and HAA-compliant housing projects up to Tier 2 maximums to go through an administrative process would not change any development standards but create a more streamlined application process, providing certainty for housing providers.

Process Thresholds for 100% Affordable Housing Projects

At the time of adoption of the aforementioned plans, it was thought that requiring a discretionary process would provide the City more control over applications that request additional height and FAR. The RHNA process for the 6th cycle Housing Element update is underway and it is expected that the City will need to demonstrate capacity to produce a greatly increased number of housing units, particularly affordable housing units.

Except for the DCP area, 100% affordable housing projects over 50 units are currently required to be reviewed through a Development Review Permit process. These projects are typically code compliant and would produce much needed affordable housing units and thus, a discretionary review process has little or no added value. In addition, affordable housing projects within ½-mile of a major transit stop are afforded additional development potential and concessions through recent changes to the State density bonus law. With challenges in available funding, 100% affordable housing projects are turning to financing sources such as tax credits, which establish a strict schedule for obtaining entitlements and building permits. These financing tools and State bonuses will be more effective in producing affordable housing if paired with streamlined local processes to ensure that these units are brought to the market as quickly as possible.

Process Thresholds for Housing Projects Compliant with Housing Accountability Act

The Housing Accountability Act establishes explicit conditions by which local jurisdictions must review and approve housing projects that meet objective general plan, zoning and subdivision standards, unless specific health and safety findings can be made. As a result, cities are afforded narrow jurisdiction over HAA-compliant projects and the Planning Commission has previously questioned the utility of such a discretionary process for housing projects. As such, these proposed amendments would seek to provide a streamlined administrative process for Tier 2 housing projects that meet objective standards.

Environmental Analysis

The proposed amendments to the LUCE, BAP, and DCP to amend the application process thresholds for 100% affordable housing projects and all other housing projects compliant with the Housing Accountability Act are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Implementation Guidelines (common sense exemption). Based on the evidence in the record, it can be seen with certainty that there is no possibility that the proposed changes may have a significant effect on the environment. The recommended amendments represent procedural changes in how projects are reviewed and do not substantively affect the policy decisions with respect to development standards made with the City Council's adoption of the LUCE, BAP, and DCP. Therefore, no further environmental review under CEQA is required.

Alternative Actions

In addition to the recommended action, the Planning Commission could consider the following with respect to the project:

- A1. Revise the proposed amendments and recommend adoption to the City Council.
- A2. Recommend that the City Council not adopt the proposed amendments.

Specific Plan Amendment Findings

- 1. The proposed amendments to the text of the Bergamot Area Plan and the Downtown Community Plan are consistent with the General Plan in that the amendments implement the LUCE policies to support 100% affordable housing through incentives for process and development potential. Specifically, Policies LU11.3 and LU11.6 seek to provide incentives for affordable housing with a focus on process streamlining, bonuses, and flexible standards. Further, the proposed amendments also support housing production through process incentives for projects that comply with objective standards in the zoning ordinance.

Prepared by: Jing Yeo, AICP, City Planning Division Manager

Attachments

- A. Resolution
- B. Proposed Redline Modifications

RESOLUTION NUMBER 20-005 (PCS)

(Planning Commission Series)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA DECLARING ITS INTENTION TO CONSIDER RECOMMENDING TO THE CITY COUNCIL THAT THE COUNCIL AMEND THE LAND USE AND CIRCULATION ELEMENT OF THE GENERAL PLAN, BERGAMOT AREA PLAN, AND DOWNTOWN COMMUNITY PLAN TO INCREASE THRESHOLDS FOR MINISTERIAL REVIEW OF ONE HUNDRED PERCENT AFFORDABLE HOUSING PROJECTS AND HOUSING PROJECTS SUBJECT TO THE HOUSING ACCOUNTABILITY ACT

WHEREAS, on July 6, 2010, the City Council adopted the Land Use and Circulation Element of the City's General Plan ("LUCE") which designates the proposed general distribution, location and extent of land uses within the City; and

WHEREAS, the LUCE was adopted after an extensive planning process, and addresses neighborhood conservation and enhancement; integrated land use and transportation; proactive congestion management; complete neighborhoods with increased open space; community benefits; quality urban character and form; preservation of historic resources; and growth management; and

WHEREAS, the LUCE differs from prior Land Use and Circulation elements, in part, by establishing a direct link between land use and transportation policies and programs and the establishment of new development policies and standards which ensure that quality development contributes to the character of the City; and

WHEREAS, the LUCE establishes a base height for each land use as a baseline and proposed development which seeks additional height above the base is subject to discretionary review and must meet additional requirements consistent with the community's broader social, environmental, and circulation goals – an approach defined in three tiers; and

WHEREAS, the LUCE provides certain bonuses, concessions and incentives for one hundred percent affordable housing projects, including a provision that allows for ministerial approval for projects of up to 50 units in size; and

WHEREAS, on September 11, 2013, the City Council adopted the Bergamot Area Plan ("BAP"), which provides policies and standards to transition 142.5 acres of former industrial lands into an arts-focused, transit-oriented, mixed use pedestrian-oriented neighborhood anchored by the Bergamot Exposition Light Rail Station; and

WHEREAS, the BAP envisions creating the City's most sustainable neighborhood—one that both conserves the authentic, industrial character that has fostered a creative community in the area and removes barriers to housing, local restaurants and services to take full advantage of the arrival of the Exposition Light Rail; and

WHEREAS, the BAP encourages and creates opportunities to develop appropriate housing for all members of the community, with a target of at least 30% of housing affordable to people earning between 30% and 180% of the area median income; and

WHEREAS, the BAP sets forth certain thresholds for processing development projects, including housing projects, in the plan area; and

WHEREAS, on July 25, 2017, the City Council adopted the Downtown Community Plan (“DCP”) which sets forth the City’s vision of the Downtown as a high quality, mixed-use district offering opportunities for housing for people across the income spectrum, jobs, arts and culture, local serving retail and community and visitor gathering places; and

WHEREAS, in the DCP, Downtown housing projects are encouraged to support a strong and economically diverse residential neighborhood component; and

WHEREAS, the DCP supports that encouragement by differentiating between housing projects and commercial projects and provides for various incentives for housing projects, including streamlined processing by allowing for ministerial review of all one hundred percent affordable housing projects and any other housing project up to 75,000 square feet; and

WHEREAS, the Housing Accountability Act, California Government Code Section 65589.5 (the “HAA”), places strict limitations on the City’s discretion to deny, reduce the density of, or place conditions a housing project that complies with objective general plan, zoning and subdivision standards and criteria, including design review standards; and

WHEREAS, on December 10, 2019, the City Council conducted a study session on housing policy in part to discuss options for increasing housing production throughout the City with a particular emphasis on incentivizing one hundred percent affordable housing projects, and considered whether increasing the thresholds for ministerial review of certain housing projects would further stimulate housing production; and

WHEREAS, on February 5, 2020, the Planning Commission adopted a Resolution of Intention, Resolution Number 20-002 (PCS), declaring its intention to consider recommending to the City Council that the City Council amend the text of the LUCE, the BAP and the DCP to increase the thresholds for ministerial review of one hundred percent affordable housing projects and housing projects subject to the HAA; and

WHEREAS, on February 19, 2020, the Planning Commission conducted a public hearing to consider its recommendations to the City Council.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. Proposed amendments to the text of the Land Use and Circulation Element, Bergamot Area Plan, and Downtown Community Plan.

Pursuant to Santa Monica Municipal Code Section 9.45.070(A), the Planning Commission does hereby recommend to the City Council that the City Council amend the Land Use and Circulation Element of the General Plan, the Bergamot Area Plan, and the Downtown Community Plan, as set forth in Exhibit A, attached to this Resolution.

SECTION 2. The Director of Planning and Community Development shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

LANE DILG
City Attorney

Adopted this 19th day of February, 2020.

Chair, Planning Commission

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and approved at a meeting of the Planning Commission on the 19th day of February, 2020 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:

Director of Planning and Community Development

EXHIBIT A

[Behind this page]

CHAPTER AND PAGE(S)	PROPOSED AMENDMENTS TO THE LAND USE AND CIRCULATION ELEMENT, BERGAMOT AREA PLAN AND DOWNTOWN SPECIFIC PLAN
Various	<p>Summary of Purpose: The amendments included herein will remove barriers to building housing, particularly affordable housing by increasing ministerial process thresholds for one hundred percent affordable housing projects and housing projects that meet all objective standards in accordance with the Housing Accountability Act.</p>
LAND USE AND CIRCULATION ELEMENT (LUCE)	
Executive Summary, pp. 11-12	<p>Require Community Benefits</p> <ul style="list-style-type: none"> • Traditional planning has long required development to meet minimum community benefit standards. The LUCE proposes a comprehensive approach to benefits designed to serve the community’s core needs—new affordable housing opportunities, cultural and social facilities, employee housing, preservation of historic resources, and the creation of quality “places”. <p>The LUCE establishes a review process which conditions new development above a base height to provide community benefits. This approach provides the City and the community with the capability to shape how individual projects contribute to the City as a whole. This will ensure that new buildings will be rich additions to the urban fabric while creating special places in the City that enhances its unique character and quality of life.</p> <p>To accomplish this, the <u>LUCE Plan</u> establishes a base height of <u>up to 32 feet</u> for new development (ministerial up to the discretionary review thresholds established by the Zoning Ordinance), initiating a Development Review Permit or Development Agreement process for development beyond this height. <u>To incentivize housing production, the following projects that exceed the base height will be subject to ministerial review up to discretionary review thresholds established by the Zoning Ordinance: 1) one hundred percent affordable housing projects; and 2) housing projects that meet the definition of “housing development project” under the Housing Accountability Act, Government Code Section 65589.5, (“Housing Accountability Act”) and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>

<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-5</p>	<p>The LUCE Requires a New Zoning Approach</p> <ul style="list-style-type: none"> The 1984 LUCE and current zoning code establish varying heights for development in selected areas in the City. <p>In contrast, the LUCE approach establishes the base height at <u>no more than 32 feet</u> (ministerial up to the discretionary review thresholds established by the Zoning Ordinance*) and requires applicants desiring to develop above the base height to be subject to a discretionary review process with required community benefits that will contribute to the community’s overall social and environmental goals. <u>To incentivize housing production, the following projects that exceed the base height will be subject to ministerial review up to discretionary review thresholds established by the Zoning Ordinance: 1) one hundred percent affordable housing projects; and 2) housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-17</p>	<p>Citywide Land Use Policies</p> <p>LU10.4 Discretionary Review. Require a discretionary review process with community input for projects above the base height except for 400 <u>one hundred percent affordable housing projects and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>
<p>Chapter 2.1, Land Use Policies and Designations, p. 2.1-30</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods</p> <p>2. Low-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> One hundred percent affordable housing projects <u>will be subject to ministerial review</u> of 50 or fewer units will be processed ministerially.

<p>Chapter 2.1, Land Use Policies and Designations, p. 2.1-31</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods 3. Medium-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Housing projects that provide identified community benefits specified in implementing ordinances may request a maximum allowable height not to exceed 40 feet and maximum allowable density up to 35 units per net residential acre, exclusive of City and State density bonuses. <u>Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. These All other housing projects will require a discretionary permit, following a public review process that will determine consistency with objective standards such as mass, scale, compatibility, affordable housing, open space, TDM measures and implementation of parking strategies.</u> • One hundred percent affordable housing projects <u>will be subject to ministerial review</u>50 or fewer units will be processed ministerially.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-32</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods 4. High-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Housing projects that provide identified community benefits specified in implementing ordinances may request a maximum allowable height not to exceed 45 feet and maximum allowable density up to 48 units per net residential acre, exclusive of City and State density bonuses. <u>Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. These All other housing projects will</u>

	<p>require a discretionary permit, following a public review process that will determine consistency with appropriate objective standards such as mass, scale, compatibility, affordable housing, open space, TDM measures and implementation of parking strategies.</p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects <u>will be subject to ministerial review of 50 or fewer units will be processed ministerially.</u>
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-35</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Boulevards</p> <p>5. Mixed-Use Boulevard Low, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 36 feet and 1.75 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

Chapter 2.1,
Land Use
Policy and
Designations,
pp. 2.1-37-39

Introduction to the LUCE Land Use Designations

B. Boulevards

6. Mixed-Use Boulevard, Development Parameters

Projects with 100% Residential Above the Ground Floor

- Tier 2 – Above Base -With Community Benefits —
 - ~~Subject to a discretionary review process, projects~~ Projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects are subject to a discretionary review process.
 - Within the Downtown Community Plan area on the east side of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects are subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to administrative review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.
 - Within the Downtown Community Plan area on the west side of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 60 feet and 2.75 FAR. One hundred percent affordable housing projects will subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act,

comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.

- Within the Downtown Community Plan area on Wilshire Boulevard west of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established in the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.
- Within the Downtown Community Plan area on the east and west sides of Lincoln Boulevard, 100% affordable housing projects may request an additional ten feet of building height and 0.5 FAR above Tier 2 standards.

All Other Projects

- Tier 2 – Above Base -With Community Benefits —
 - ~~Subject to a discretionary review process,~~ Projects that provide community benefits may request a height up to 45 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.

	<ul style="list-style-type: none">• Within the Downtown Community Plan area on the east side of Lincoln Boulevard, subject to a discretionary review process, as required by the Downtown Community Plan, projects that provide community benefits may request a height up to 40 feet and 1.75 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u>• Within the Downtown Community Plan area on the west side of Lincoln Boulevard and on Wilshire Boulevard west of Lincoln Boulevard, subject to a discretionary review process or development agreement, as required by the Downtown Community Plan, projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u>• Within the Downtown Community Plan area on Wilshire Boulevard west of Lincoln Boulevard, subject to a discretionary review process, projects that provide community benefits may request a height up to 40 feet and 1.75 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to</u>
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	<p><u>ministerial review up to the discretionary review thresholds established in the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-41-42</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Boulevards</p> <p>7. General Commercial, Development Parameters</p> <p><i>Santa Monica Boulevard</i></p> <ul style="list-style-type: none"> Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 35 feet and 1.5 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> <p><i>Lincoln and Pico Boulevards</i></p> <ul style="list-style-type: none"> Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request additional FAR up to 1.75. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review</u>

	<p><u>standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-44</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Mixed-Use Centers</p> <p>8. Neighborhood Commercial, Development Parameters</p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less. <p><i>Pico Boulevard</i></p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-46, 47</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed-Use Centers</p> <p>9. Bergamot Transit Village, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects</u> that provide community benefits may request a height up to 60 feet and 3.0 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-49</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed-Use Centers</p> <p>10. Mixed-Use Creative, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects</u> that provide community benefits may request a height up to 47 feet and 2.0 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project</u>

	<p><u>application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-53</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed Use Centers</p> <p>12. Beach and Oceanfront, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 47 feet and 2.0 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

<p>Chapter 2.7, Managing Change, p. 2.7-4</p>	<p>Five Innovative Controls Incorporated Into the LUCE</p> <p>Type of Uses</p> <p>Community-Serving Benefits</p> <ul style="list-style-type: none"> • <u>Except as otherwise provided, buildings</u> Buildings over the base height of 32–35 feet will be reviewed through a public process to ensure that incentives for additional height result in community benefits such as affordable and workforce housing opportunities, child care, cultural and open space and sensitive historic preservation or adaptive reuse
<p>Chapter 2.7, Managing Change, p. 2.7-6</p>	<p>Amount of Change</p> <p>Reduction in the Maximum Base Height</p> <p>The LUCE modifies the maximum ministerial base height for new development on the boulevards and in the districts to 32 feet.</p>
<p>Chapter 3.2, Community Benefits, p. 3.2-4</p>	<p>The Community Identifies Core Values for Community Benefits</p> <p>Five Priority Categories of Community Benefits:</p> <p>The community identified the following five priority categories of community benefits:</p> <ol style="list-style-type: none"> 1. New and Affordable Workforce Housing <p>For all projects in which a developer seeks to develop a project that is greater in height than the base height of 32 feet, affordable housing or a contribution to the affordable housing fund shall be required. The objective is to incentivize housing along the City’s commercial corridors where there is transit, local-serving retail and an enhanced pedestrian environment, facilitating a complete neighborhood for a range of socioeconomic levels. While affordable housing is identified as a primary community benefit, the provision of a significantly higher percentage of workforce housing units is also a community benefit.</p>

<p>Chapter 3.2, Community Benefits, p. 3.2-4</p>	<p>How the LUCE Achieves Community Benefits</p> <ul style="list-style-type: none"> In addition to articulating the community’s long-term vision, the LUCE establishes broad goals and policies that set the framework for community benefits. In each land use designation, the Plan sets a base height and allowable development intensity which permits quality lower-scale, generally ministerial development. Using the citywide vision for urban form, the Plan then sets a maximum height and intensity, even with provision of community benefits, along with sensitive transitions to homes and neighborhoods. The specific standards and procedures for providing community benefits will be incorporated into the revised Zoning Ordinance using the LUCE concepts. <p>The LUCE land use policy establishes a baseline building height for nonresidential land use designations. Any proposed development that seeks to build above the base height in these nonresidential areas of the City, except for 100 percent affordable housing projects <u>and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete</u> will be subject to a public review process and additional requirements consistent with the community’s broader social and environmental goals.</p>
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<p>Chapter 3.2, Community Benefits, p. 3.2-5-6</p>	<p>The Community Shapes the Future: A Three-Tiered Approach</p> <p>The Plan defines a comprehensive program that incentivizes new development above an <u>32-foot-established base height</u>. A three-tiered approach, based on increments of height and floor area, defines additional requirements consistent with the community’s broader social and environmental goals. While the specifics for each boulevard and district are provided within each zoning designation, a general explanation of how the process will work for any project is provided here.</p> <p>Tier 1 – Base Height</p> <ul style="list-style-type: none"> The LUCE establishes a base of <u>up to 32 feet (2 stories)</u>. A project will receive a height bonus above the base height, allowing for an additional floor of housing, by providing the required affordable units on-site, or within close proximity along the boulevard, in accordance with the percentage requirements specified in the City’s Affordable Housing Production Program.
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	<p>While the 32-foot base accommodates 2 stories, the height available with this incentive allows 3 stories. A Tier 1 project is ministerial up to the discretionary review threshold established by the Zoning Ordinance. Even these ministerial projects may be subject to discretionary review such as use permits, architectural review, historic resource review, etc.</p> <p>Tier 2 – Height Above Base Height</p> <ul style="list-style-type: none"> • By maintaining discretionary control for a most projects over the ministerial base height, the City is better positioned to ensure compliance with LUCE principles. The process will differ slightly depending on the type of land use and the specific project as described below. • Commercial Projects: Unless a developer seeks a Development Agreement, a discretionary process will apply to all commercial projects and mixed-use projects. • Residential Projects: Except for deed-restricted 100 percent affordable housing projects Housing projects and mixed-use housing projects shall be processed through a Development Agreement or a discretionary review process, <u>except that deed-restricted 100 percent affordable housing projects and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete shall be subject to ministerial review.</u> <p>One Hundred Percent Affordable Housing Projects</p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects (up to a maximum of 80% of median income only) of 50 or fewer units will be subject to ministerial review processed ministerially.
<p>Chapter 3.3, Housing, p. 3.3-2</p>	<p>The LUCE Housing Policy</p> <p>The overarching goal of the LUCE housing policy is to create significant new additional affordable housing opportunities where few or none currently exist. These new housing opportunities are to be associated with transit in a manner that enhances sustainability, creates complete neighborhoods and provides ease access to local services. The Plan accomplishes this challenge in a variety of innovative ways, adding to the City’s substantial Housing Element goals to maintain and produce a wide range of housing types and affordability by:</p> <p>...</p>

	<ul style="list-style-type: none"> Establishing a maximum-ministerial base building height of <u>up to 32 feet</u> and requiring that projects over the base incorporate community benefits, with affordable housing identified as a primary community benefit.
<p>Chapter 3.3, Housing, p. 3.3-4</p>	<p>LUCE Strategies to Implement the Vision</p> <p>One of the most important accomplishments of the LUCE is to strategically locate housing in areas that are associated with transit and currently provide for commercial or industrial uses. The LUCE shifts the City’s land use policy from the strong commercial emphasis of the 1894 General Plan to a balanced policy of incentives for the construction of significant additional housing units, particularly affordable and workforce housing, to accompany new investment. The following strategies will guide the City in its efforts to successfully create new neighborhoods while conserving existing neighborhoods.</p> <p><i>Aggressively Create New Affordable Housing</i></p> <p>Affordable housing creation, the primary emphasis of the 2008-2014 Housing Element, will continue to be the City’s first housing priority and should not be supplanted by other housing efforts. Affordable housing will be the focus of any direct City subsidies.</p> <p>The LUCE builds on these City policies by identifying clear incentives to create additional affordable and workforce housing in conjunction with new development. Such incentives will be targeted to specific transit accessible locations on the boulevards and in the districts as a strategy for change in those areas. This approach requires that any project above the established base height must be accompanied by community benefits, particularly affordable housing. These incentives are progressive in nature and are described below:</p> <p>...</p> <ul style="list-style-type: none"> One hundred percent affordable housing projects will continue to be provided existing incentives, including: up to a 50% density bonus in residential designations, inclusive of the State density bonus requirement; building height in non-residential designations not to exceed the allowable maximum height limit at the highest tier, or 40 feet where applicable; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses; and administrative review-of-affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less. One hundred percent affordable

	<p>housing projects are defined as housing in which one hundred percent of the dwelling units are deed-restricted or restricted by an agreement approved by the City for occupancy by low or moderate income households. Such projects may also include non-residential uses, as long as such uses do not exceed a maximum percentage of the floor area of the total project to be established in the Zoning Ordinance.</p>
<p>Chapter 5.0, Measuring Progress: Implementing the Plan, p. 5.0-13</p>	<p>Objective Standards and Criteria</p> <ul style="list-style-type: none"> • By stating the goals and policies for each land use designation and each neighborhood, boulevard, district, and activity center, the LUCE creates certainty for residents and developers and establishes how development projects can positively affect the character, form, and quality of the City. <p>Objective standards and criteria rooted in community priorities and measures to mitigate the impacts of new development will be the method by which all administrative projects will be reviewed. Review of discretionary projects that involve new construction will be guided by a new incentive system that places significant emphasis on inclusion of affordable housing and other community benefits with the objective that new development should contribute to the city’s physical, environmental, and cultural goals. Types of review for new projects are described below and include:</p> <ul style="list-style-type: none"> • Ministerial review for projects that fall within established base height and FAR limits • Planning Commission and/or City Council review for projects that exceed <u>thresholds established in the Zoning Ordinance</u> base height and FARs • Development Agreements <p>Maximum Ministerial Base Height and FAR and Provisions for Increases when Projects Offer Community Benefits</p> <ul style="list-style-type: none"> • The LUCE establishes a maximum ministerial <u>base height and FAR of 25–35 feet</u>. As an incentive, additional height and FAR above the base may be granted, subject to a discretionary review process, if it meets community benefit criteria. A Development Agreement may be required for these increases in height and FAR.

	BERGAMOT AREA PLAN
Development Standards and Land Use Regulations, p. 148	<p><i>As discussed in Chapter 1, Introduction, the LUCE sets out three tiers for new development in the Bergamot Plan Area. Tier I is baseline, by-right development up to the discretionary review thresholds established by the Zoning Ordinance. Tier II and Tier III projects are allowed additional intensity and height if the associated development provides community benefits. <u>Tier II projects shall be processed in accordance with the review thresholds established by the Zoning Ordinance.</u></i></p>
	DOWNTOWN COMMUNITY PLAN
Chapter 2A, Downtown Districts, p. 28	<p>Section 2A.4, Entitlement and Tier System</p> <p>The LUCE addresses the Downtown area from a broad policy perspective, outlining goals and objectives, but defers the specific land-use standards to the Downtown Community Plan. The DCP implements a modified version of the LUCE Tiering system, which provides distinct entitlement processes for projects of certain sizes and/or land uses.</p> <p>The DCP entitlement system differentiates between housing projects and commercial projects, and relies upon process thresholds to create distinct entitlement pathways for each project type, which are summarized in Chapter 4, 9.10.050, Application Thresholds Table. Downtown housing projects are strongly encouraged to support a strong economically diverse residential neighborhood component to Downtown vitality. These are consequently provided more generous floor area thresholds than their commercial counterpart. Housing projects are defined in Chapter 4, Standards and Regulations, 9.10.050.</p> <ul style="list-style-type: none"> • “Base” Projects Typically, developments that conform to Tier 1 standards are referred to as “base” projects. Base projects must meet minimum project requirements for setbacks, design and open space, and pay adopted fees for items such as affordable housing, trip reduction, cultural arts and child-care fees. Projects that provide the required percentage of Affordable Housing Production Program (AHPP) on-site are allowed an additional floor of housing for a maximum of three stories and 39 feet. <ol style="list-style-type: none"> 1. Housing Projects Any project up to 75,000 sq. ft. may be processed through an administrative approval. <u>Any housing project that meets the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, complies with all applicable,</u>

	<p><u>objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete, may be processed through an administrative approval up to the threshold established by the Zoning Ordinance.</u></p> <p>2. Commercial Projects Smaller commercial projects that conform to Tier 1 standards may be processed through an Administrative Approval.</p>
<p>Chapter 4, Development Standards and Regulations, p. 177</p>	<p>9.10.050, Application Thresholds Table</p> <p>C. Affordable Housing Exemptions. The following types of projects are exempt from Development Review Permit requirements:</p> <ol style="list-style-type: none"> 1. 100% Affordable Housing Projects 2. <u>Housing Projects that meet the definition of “housing development project” under the Housing Accountability Act, Government Code Section 65589.5, (“Housing Accountability Act”) and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete, up to the thresholds established by the Zoning Ordinance.</u>

CHAPTER AND PAGE(S)	PROPOSED AMENDMENTS TO THE LAND USE AND CIRCULATION ELEMENT, BERGAMOT AREA PLAN AND DOWNTOWN SPECIFIC PLAN
Various	<p>Summary of Purpose: The amendments included herein will remove barriers to building housing, particularly affordable housing by increasing ministerial process thresholds for one hundred percent affordable housing projects and housing projects that meet all objective standards in accordance with the Housing Accountability Act.</p>
	LAND USE AND CIRCULATION ELEMENT (LUCE)
Executive Summary, pp. 11-12	<p>Require Community Benefits</p> <ul style="list-style-type: none"> • Traditional planning has long required development to meet minimum community benefit standards. The LUCE proposes a comprehensive approach to benefits designed to serve the community’s core needs—new affordable housing opportunities, cultural and social facilities, employee housing, preservation of historic resources, and the creation of quality “places”. <p>The LUCE establishes a review process which conditions new development above a base height to provide community benefits. This approach provides the City and the community with the capability to shape how individual projects contribute to the City as a whole. This will ensure that new buildings will be rich additions to the urban fabric while creating special places in the City that enhances its unique character and quality of life.</p> <p>To accomplish this, the <u>LUCE Plan</u> establishes a base height of <u>up to 32 feet</u> for new development (ministerial up to the discretionary review thresholds established by the Zoning Ordinance), initiating a Development Review Permit or Development Agreement process for development beyond this height. <u>To incentivize housing production, the following projects that exceed the base height will be subject to ministerial review up to discretionary review thresholds established by the Zoning Ordinance: 1) one hundred percent affordable housing projects; and 2) housing projects that meet the definition of “housing development project” under the Housing Accountability Act, Government Code Section 65589.5, (“Housing Accountability Act”) and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>

<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-5</p>	<p>The LUCE Requires a New Zoning Approach</p> <ul style="list-style-type: none"> The 1984 LUCE and current zoning code establish varying heights for development in selected areas in the City. <p>In contrast, the LUCE approach establishes the base height at <u>no more than 32 feet</u> (ministerial up to the discretionary review thresholds established by the Zoning Ordinance*) and requires applicants desiring to develop above the base height to be subject to a discretionary review process with required community benefits that will contribute to the community’s overall social and environmental goals. <u>To incentivize housing production, the following projects that exceed the base height will be subject to ministerial review up to discretionary review thresholds established by the Zoning Ordinance: 1) one hundred percent affordable housing projects; and 2) housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-17</p>	<p>Citywide Land Use Policies</p> <p>LU10.4 Discretionary Review. Require a discretionary review process with community input for projects above the base height except for 400 <u>one hundred percent affordable housing projects and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete.</u></p>
<p>Chapter 2.1, Land Use Policies and Designations, p. 2.1-30</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods</p> <p>2. Low-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> One hundred percent affordable housing projects <u>will be subject to ministerial review</u> of 50 or fewer units will be processed ministerially.

<p>Chapter 2.1, Land Use Policies and Designations, p. 2.1-31</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods 3. Medium-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Housing projects that provide identified community benefits specified in implementing ordinances may request a maximum allowable height not to exceed 40 feet and maximum allowable density up to 35 units per net residential acre, exclusive of City and State density bonuses. <u>Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. These All other housing projects will require a discretionary permit, following a public review process that will determine consistency with objective standards such as mass, scale, compatibility, affordable housing, open space, TDM measures and implementation of parking strategies.</u> • One hundred percent affordable housing projects <u>will be subject to ministerial review</u>50 or fewer units will be processed ministerially.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-32</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>A. Neighborhoods 4. High-Density Housing, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Housing projects that provide identified community benefits specified in implementing ordinances may request a maximum allowable height not to exceed 45 feet and maximum allowable density up to 48 units per net residential acre, exclusive of City and State density bonuses. <u>Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. These All other housing projects will</u>

	<p>require a discretionary permit, following a public review process that will determine consistency with appropriate objective standards such as mass, scale, compatibility, affordable housing, open space, TDM measures and implementation of parking strategies.</p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects <u>will be subject to ministerial review of 50 or fewer units will be processed ministerially.</u>
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-35</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Boulevards</p> <p>5. Mixed-Use Boulevard Low, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 36 feet and 1.75 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

Chapter 2.1,
Land Use
Policy and
Designations,
pp. 2.1-37-39

Introduction to the LUCE Land Use Designations

B. Boulevards

6. Mixed-Use Boulevard, Development Parameters

Projects with 100% Residential Above the Ground Floor

- Tier 2 – Above Base -With Community Benefits —
 - ~~Subject to a discretionary review process, projects~~ Projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects are subject to a discretionary review process.
 - Within the Downtown Community Plan area on the east side of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects are subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to administrative review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.
 - Within the Downtown Community Plan area on the west side of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 60 feet and 2.75 FAR. One hundred percent affordable housing projects will subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act,

comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.

- Within the Downtown Community Plan area on Wilshire Boulevard west of Lincoln Boulevard, ~~subject to a discretionary review process,~~ projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established in the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.
- Within the Downtown Community Plan area on the east and west sides of Lincoln Boulevard, 100% affordable housing projects may request an additional ten feet of building height and 0.5 FAR above Tier 2 standards.

All Other Projects

- Tier 2 – Above Base -With Community Benefits —
 - ~~Subject to a discretionary review process,~~ Projects that provide community benefits may request a height up to 45 feet and 2.25 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.

	<ul style="list-style-type: none">• Within the Downtown Community Plan area on the east side of Lincoln Boulevard, subject to a discretionary review process, as required by the Downtown Community Plan, projects that provide community benefits may request a height up to 40 feet and 1.75 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u>• Within the Downtown Community Plan area on the west side of Lincoln Boulevard and on Wilshire Boulevard west of Lincoln Boulevard, subject to a discretionary review process or development agreement, as required by the Downtown Community Plan, projects that provide community benefits may request a height up to 50 feet and 2.25 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u>• Within the Downtown Community Plan area on Wilshire Boulevard west of Lincoln Boulevard, subject to a discretionary review process, projects that provide community benefits may request a height up to 40 feet and 1.75 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to</u>
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	<p><u>ministerial review up to the discretionary review thresholds established in the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-41-42</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Boulevards</p> <p>7. General Commercial, Development Parameters</p> <p><i>Santa Monica Boulevard</i></p> <ul style="list-style-type: none"> Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 35 feet and 1.5 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> <p><i>Lincoln and Pico Boulevards</i></p> <ul style="list-style-type: none"> Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request additional FAR up to 1.75. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review</u>

	<p><u>standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-44</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>B. Mixed-Use Centers</p> <p>8. Neighborhood Commercial, Development Parameters</p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less. <p><i>Pico Boulevard</i></p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-46, 47</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed-Use Centers</p> <p>9. Bergamot Transit Village, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects</u> that provide community benefits may request a height up to 60 feet and 3.0 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-49</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed-Use Centers</p> <p>10. Mixed-Use Creative, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects</u> that provide community benefits may request a height up to 47 feet and 2.0 FAR. <u>One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project</u>

	<p><u>application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u></p> <ul style="list-style-type: none"> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.
<p>Chapter 2.1, Land Use Policy and Designations, p. 2.1-53</p>	<p>Introduction to the LUCE Land Use Designations</p> <p>C. Mixed Use Centers</p> <p>12. Beach and Oceanfront, Development Parameters</p> <ul style="list-style-type: none"> • Tier 2 – Above Base -With Community Benefits — Subject to a discretionary review process, projects <u>Projects that provide community benefits may request a height up to 47 feet and 2.0 FAR. One hundred percent affordable housing projects will be subject to ministerial review. Housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete will be subject to ministerial review up to the discretionary review thresholds established by the Zoning Ordinance. All other Tier 2 projects will be subject to a discretionary review process.</u> • All Tiers – One hundred percent affordable housing projects will continue to be provided existing incentives, including: building height not to exceed the allowable maximum height limit at the highest tier, inclusive of any development bonus for affordable housing; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses, which may also include community services, arts, and similar uses, as applicable; and administrative review of affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less.

<p>Chapter 2.7, Managing Change, p. 2.7-4</p>	<p>Five Innovative Controls Incorporated Into the LUCE</p> <p>Type of Uses</p> <p>Community-Serving Benefits</p> <ul style="list-style-type: none"> • <u>Except as otherwise provided, buildings</u> Buildings over the base height of 32–35 feet will be reviewed through a public process to ensure that incentives for additional height result in community benefits such as affordable and workforce housing opportunities, child care, cultural and open space and sensitive historic preservation or adaptive reuse
<p>Chapter 2.7, Managing Change, p. 2.7-6</p>	<p>Amount of Change</p> <p>Reduction in the Maximum Base Height</p> <p>The LUCE modifies the maximum ministerial base height for new development on the boulevards and in the districts to 32 feet.</p>
<p>Chapter 3.2, Community Benefits, p. 3.2-4</p>	<p>The Community Identifies Core Values for Community Benefits</p> <p>Five Priority Categories of Community Benefits:</p> <p>The community identified the following five priority categories of community benefits:</p> <ol style="list-style-type: none"> 1. New and Affordable Workforce Housing <p>For all projects in which a developer seeks to develop a project that is greater in height than the base height of 32 feet, affordable housing or a contribution to the affordable housing fund shall be required. The objective is to incentivize housing along the City’s commercial corridors where there is transit, local-serving retail and an enhanced pedestrian environment, facilitating a complete neighborhood for a range of socioeconomic levels. While affordable housing is identified as a primary community benefit, the provision of a significantly higher percentage of workforce housing units is also a community benefit.</p>

<p>Chapter 3.2, Community Benefits, p. 3.2-4</p>	<p>How the LUCE Achieves Community Benefits</p> <ul style="list-style-type: none"> In addition to articulating the community’s long-term vision, the LUCE establishes broad goals and policies that set the framework for community benefits. In each land use designation, the Plan sets a base height and allowable development intensity which permits quality lower-scale, generally ministerial development. Using the citywide vision for urban form, the Plan then sets a maximum height and intensity, even with provision of community benefits, along with sensitive transitions to homes and neighborhoods. The specific standards and procedures for providing community benefits will be incorporated into the revised Zoning Ordinance using the LUCE concepts. <p>The LUCE land use policy establishes a baseline building height for nonresidential land use designations. Any proposed development that seeks to build above the base height in these nonresidential areas of the City, except for 100 percent affordable housing projects <u>and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete</u> will be subject to a public review process and additional requirements consistent with the community’s broader social and environmental goals.</p>
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<p>Chapter 3.2, Community Benefits, p. 3.2-5-6</p>	<p>The Community Shapes the Future: A Three-Tiered Approach</p> <p>The Plan defines a comprehensive program that incentivizes new development above an <u>32-foot-established base height</u>. A three-tiered approach, based on increments of height and floor area, defines additional requirements consistent with the community’s broader social and environmental goals. While the specifics for each boulevard and district are provided within each zoning designation, a general explanation of how the process will work for any project is provided here.</p> <p>Tier 1 – Base Height</p> <ul style="list-style-type: none"> The LUCE establishes a base of <u>up to 32 feet (2 stories)</u>. A project will receive a height bonus above the base height, allowing for an additional floor of housing, by providing the required affordable units on-site, or within close proximity along the boulevard, in accordance with the percentage requirements specified in the City’s Affordable Housing Production Program.
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	<p>While the 32-foot base accommodates 2 stories, the height available with this incentive allows 3 stories. A Tier 1 project is ministerial up to the discretionary review threshold established by the Zoning Ordinance. Even these ministerial projects may be subject to discretionary review such as use permits, architectural review, historic resource review, etc.</p> <p>Tier 2 – Height Above Base Height</p> <ul style="list-style-type: none"> • By maintaining discretionary control for a most projects over the ministerial base height, the City is better positioned to ensure compliance with LUCE principles. The process will differ slightly depending on the type of land use and the specific project as described below. • Commercial Projects: Unless a developer seeks a Development Agreement, a discretionary process will apply to all commercial projects and mixed-use projects. • Residential Projects: Except for deed-restricted 100 percent affordable housing projects Housing projects and mixed-use housing projects shall be processed through a Development Agreement or a discretionary review process, <u>except that deed-restricted 100 percent affordable housing projects and housing projects that meet the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete shall be subject to ministerial review.</u> <p>One Hundred Percent Affordable Housing Projects</p> <ul style="list-style-type: none"> • One hundred percent affordable housing projects (up to a maximum of 80% of median income only) of 50 or fewer units will be <u>subject to ministerial review processed ministerially.</u>
<p>Chapter 3.3, Housing, p. 3.3-2</p>	<p>The LUCE Housing Policy</p> <p>The overarching goal of the LUCE housing policy is to create significant new additional affordable housing opportunities where few or none currently exist. These new housing opportunities are to be associated with transit in a manner that enhances sustainability, creates complete neighborhoods and provides ease access to local services. The Plan accomplishes this challenge in a variety of innovative ways, adding to the City’s substantial Housing Element goals to maintain and produce a wide range of housing types and affordability by:</p> <p>...</p>

	<ul style="list-style-type: none"> Establishing a maximum-ministerial base building height of <u>up to 32 feet</u> and requiring that projects over the base incorporate community benefits, with affordable housing identified as a primary community benefit.
<p>Chapter 3.3, Housing, p. 3.3-4</p>	<p>LUCE Strategies to Implement the Vision</p> <p>One of the most important accomplishments of the LUCE is to strategically locate housing in areas that are associated with transit and currently provide for commercial or industrial uses. The LUCE shifts the City’s land use policy from the strong commercial emphasis of the 1894 General Plan to a balanced policy of incentives for the construction of significant additional housing units, particularly affordable and workforce housing, to accompany new investment. The following strategies will guide the City in its efforts to successfully create new neighborhoods while conserving existing neighborhoods.</p> <p><i>Aggressively Create New Affordable Housing</i></p> <p>Affordable housing creation, the primary emphasis of the 2008-2014 Housing Element, will continue to be the City’s first housing priority and should not be supplanted by other housing efforts. Affordable housing will be the focus of any direct City subsidies.</p> <p>The LUCE builds on these City policies by identifying clear incentives to create additional affordable and workforce housing in conjunction with new development. Such incentives will be targeted to specific transit accessible locations on the boulevards and in the districts as a strategy for change in those areas. This approach requires that any project above the established base height must be accompanied by community benefits, particularly affordable housing. These incentives are progressive in nature and are described below:</p> <p>...</p> <ul style="list-style-type: none"> One hundred percent affordable housing projects will continue to be provided existing incentives, including: up to a 50% density bonus in residential designations, inclusive of the State density bonus requirement; building height in non-residential designations not to exceed the allowable maximum height limit at the highest tier, or 40 feet where applicable; reduced parking requirements; flexibility in providing a reduction in required ground floor pedestrian-oriented uses; and administrative review-of-affordable housing projects (up to a maximum of 80% of median income only) with 50 units or less. One hundred percent affordable

	<p>housing projects are defined as housing in which one hundred percent of the dwelling units are deed-restricted or restricted by an agreement approved by the City for occupancy by low or moderate income households. Such projects may also include non-residential uses, as long as such uses do not exceed a maximum percentage of the floor area of the total project to be established in the Zoning Ordinance.</p>
<p>Chapter 5.0, Measuring Progress: Implementing the Plan, p. 5.0-13</p>	<p>Objective Standards and Criteria</p> <ul style="list-style-type: none"> • By stating the goals and policies for each land use designation and each neighborhood, boulevard, district, and activity center, the LUCE creates certainty for residents and developers and establishes how development projects can positively affect the character, form, and quality of the City. <p>Objective standards and criteria rooted in community priorities and measures to mitigate the impacts of new development will be the method by which all administrative projects will be reviewed. Review of discretionary projects that involve new construction will be guided by a new incentive system that places significant emphasis on inclusion of affordable housing and other community benefits with the objective that new development should contribute to the city’s physical, environmental, and cultural goals. Types of review for new projects are described below and include:</p> <ul style="list-style-type: none"> • Ministerial review for projects that fall within established base height and FAR limits • Planning Commission and/or City Council review for projects that exceed <u>thresholds established in the Zoning Ordinance</u> • base height and FARs • Development Agreements <p>Maximum Ministerial Base Height and FAR and Provisions for Increases when Projects Offer Community Benefits</p> <ul style="list-style-type: none"> • The LUCE establishes a maximum ministerial <u>base height and FAR of 25–35 feet</u>. As an incentive, additional height and FAR above the base may be granted, subject to a discretionary review process, if it meets community benefit criteria. A Development Agreement may be required for these increases in height and FAR.

	BERGAMOT AREA PLAN
Development Standards and Land Use Regulations, p. 148	<p><i>As discussed in Chapter 1, Introduction, the LUCE sets out three tiers for new development in the Bergamot Plan Area. Tier I is baseline, by-right development up to the discretionary review thresholds established by the Zoning Ordinance. Tier II and Tier III projects are allowed additional intensity and height if the associated development provides community benefits. <u>Tier II projects shall be processed in accordance with the review thresholds established by the Zoning Ordinance.</u></i></p>
	DOWNTOWN COMMUNITY PLAN
Chapter 2A, Downtown Districts, p. 28	<p>Section 2A.4, Entitlement and Tier System</p> <p>The LUCE addresses the Downtown area from a broad policy perspective, outlining goals and objectives, but defers the specific land-use standards to the Downtown Community Plan. The DCP implements a modified version of the LUCE Tiering system, which provides distinct entitlement processes for projects of certain sizes and/or land uses.</p> <p>The DCP entitlement system differentiates between housing projects and commercial projects, and relies upon process thresholds to create distinct entitlement pathways for each project type, which are summarized in Chapter 4, 9.10.050, Application Thresholds Table. Downtown housing projects are strongly encouraged to support a strong economically diverse residential neighborhood component to Downtown vitality. These are consequently provided more generous floor area thresholds than their commercial counterpart. Housing projects are defined in Chapter 4, Standards and Regulations, 9.10.050.</p> <ul style="list-style-type: none"> • “Base” Projects Typically, developments that conform to Tier 1 standards are referred to as “base” projects. Base projects must meet minimum project requirements for setbacks, design and open space, and pay adopted fees for items such as affordable housing, trip reduction, cultural arts and child-care fees. Projects that provide the required percentage of Affordable Housing Production Program (AHPP) on-site are allowed an additional floor of housing for a maximum of three stories and 39 feet. <ol style="list-style-type: none"> 1. Housing Projects <ul style="list-style-type: none"> Any project up to 75,000 sq. ft. may be processed through an administrative approval. <u>Any housing project that meets the definition of “housing development project” under the Housing Accountability Act and that, consistent with the Housing Accountability Act, complies with all applicable,</u>

	<p><u>objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete, may be processed through an administrative approval up to the threshold established by the Zoning Ordinance.</u></p> <p>2. Commercial Projects Smaller commercial projects that conform to Tier 1 standards may be processed through an Administrative Approval.</p>
<p>Chapter 4, Development Standards and Regulations, p. 177</p>	<p>9.10.050, Application Thresholds Table</p> <p>C. Affordable Housing Exemptions. The following types of projects are exempt from Development Review Permit requirements:</p> <ol style="list-style-type: none"> 1. 100% Affordable Housing Projects 2. <u>Housing Projects that meet the definition of “housing development project” under the Housing Accountability Act, Government Code Section 65589.5, (“Housing Accountability Act”) and that, consistent with the Housing Accountability Act, comply with all applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the project application is deemed complete, up to the thresholds established by the Zoning Ordinance.</u>