

COLORADO BOULEVARD

Specific Plan

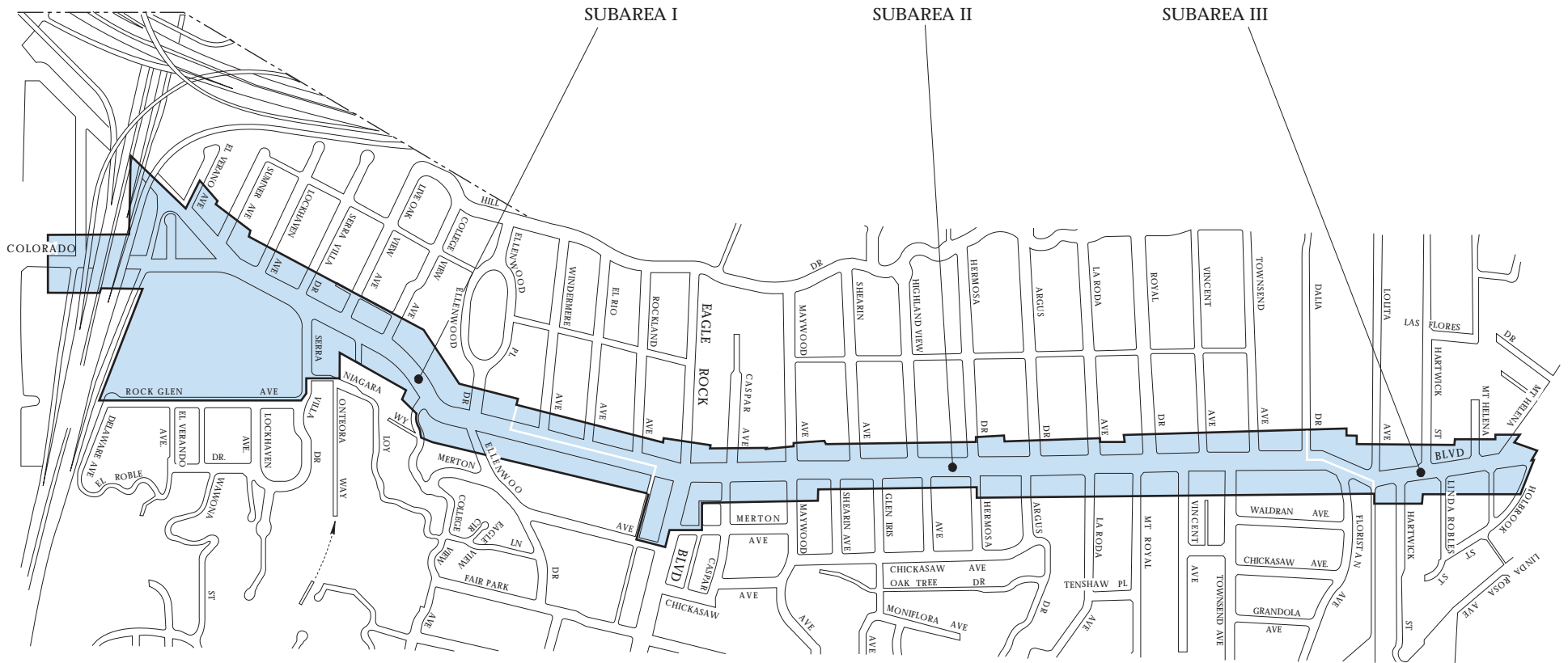
Ordinance No. 168,046
Effective August 9, 1992

Specific Plan Procedures
Amended pursuant to L.A.M.C. Section 11.5.7



Design Review Board Procedures
Amended pursuant to L.A.M.C. Section 16.50

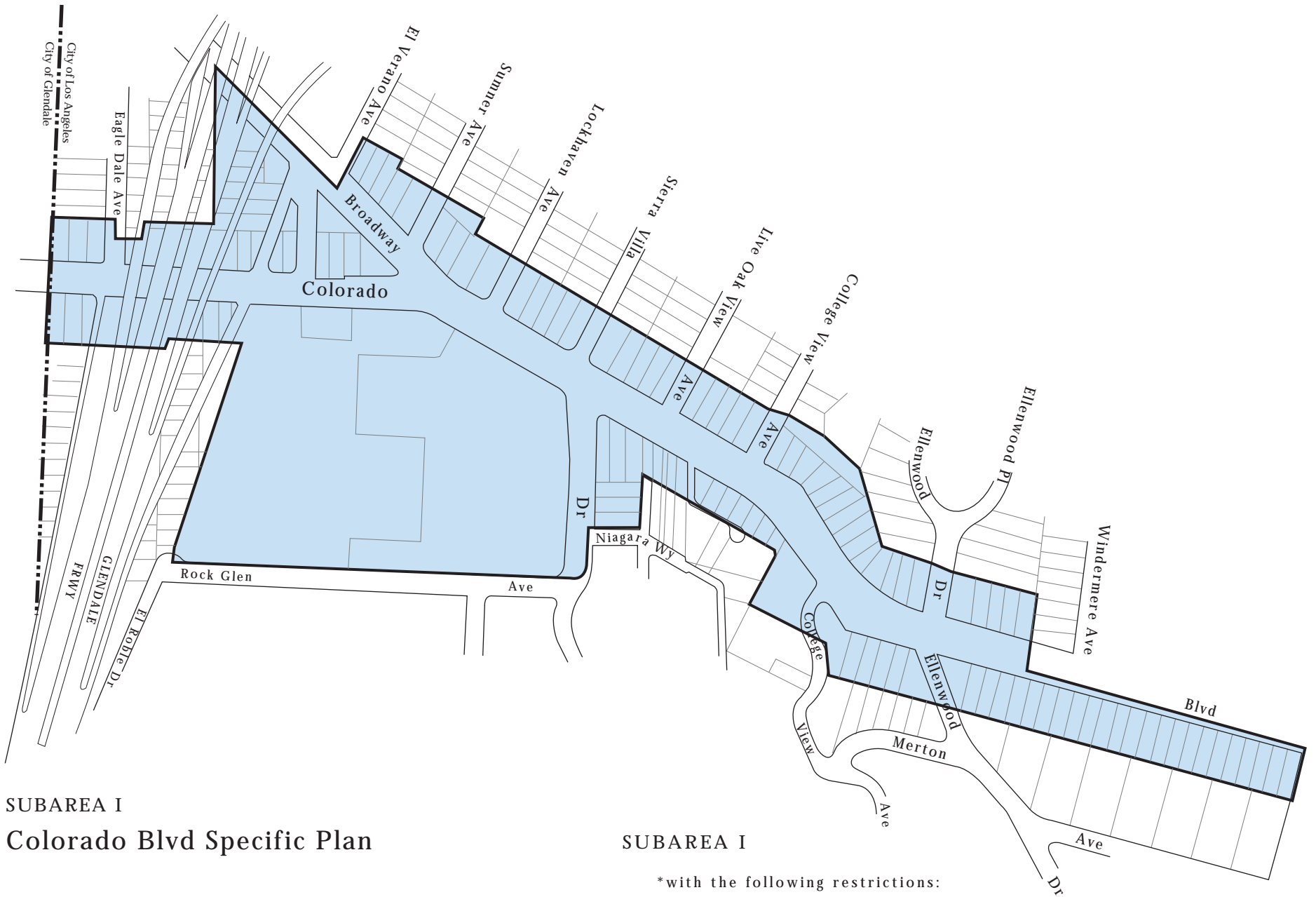
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Colorado Blvd Specific Plan
 (Between Eagle Dale and Eagle Vista)

 Subarea Boundary
 



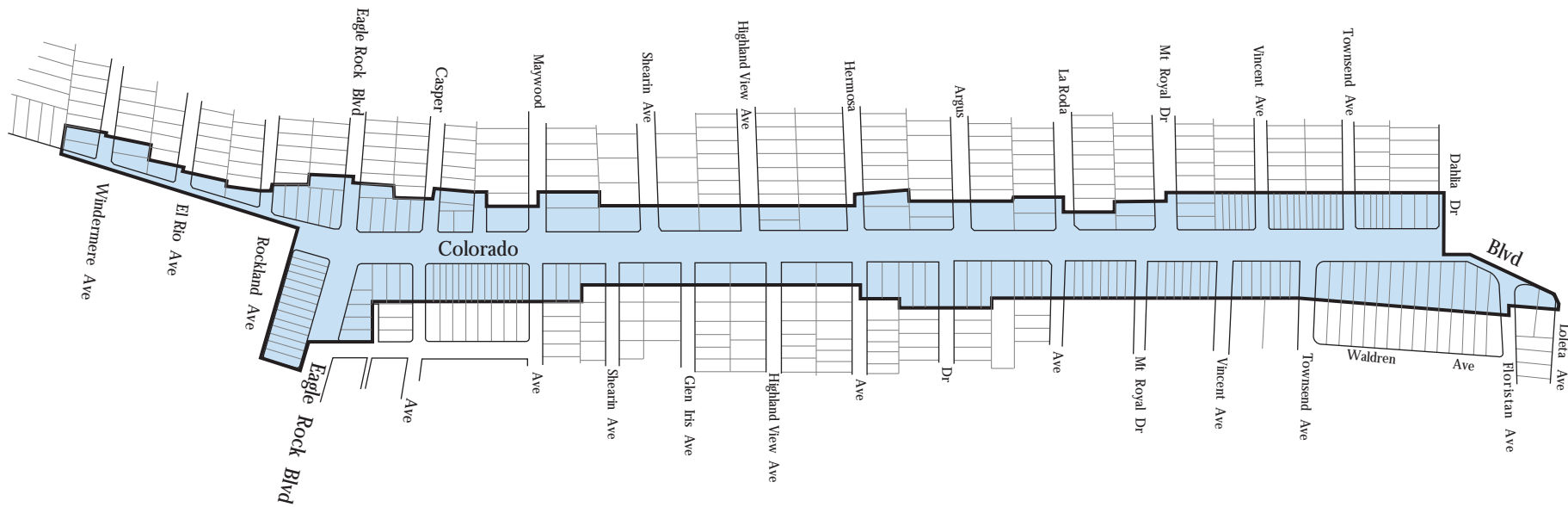
SUBAREA I
 Colorado Blvd Specific Plan

SUBAREA I

*with the following restrictions:

- By Right FAR = 1.0 to 1
- Maximum FAR = 2.5 to 1





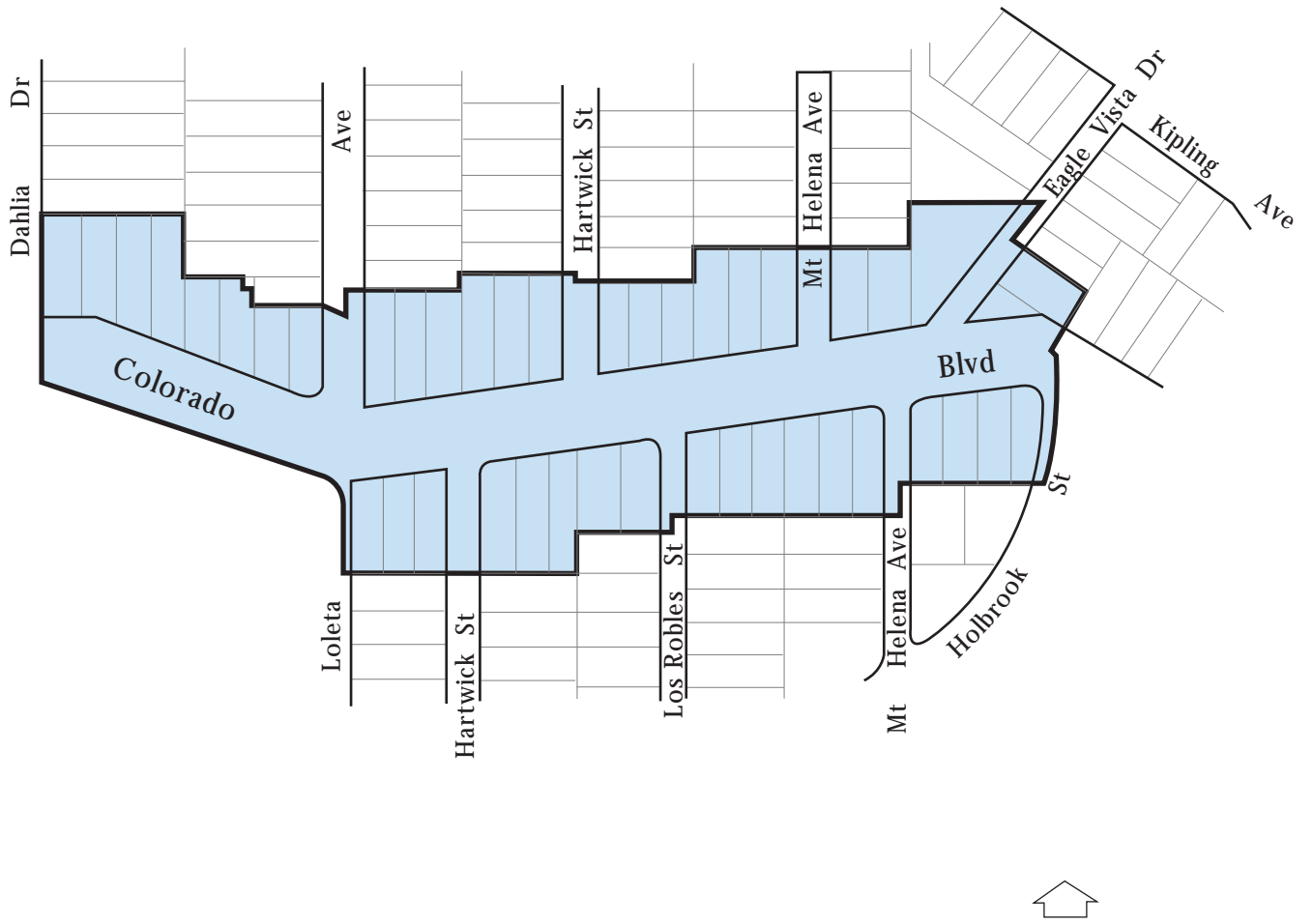
SUBAREA II Colorado Blvd Specific Plan

SUBAREA II



*with the following restrictions:

- By Right FAR = 1.0 to 1
- Maximum FAR = 1.5 to 1
- Height Limitation = 2 stories or 30 feet



SUBAREA III
 Colorado Blvd Specific Plan

SUBAREA III

* with the following restrictions

- byRight FAR = 1.0 to 1
- Maxium FAR = 2.5 to 1

COLORADO BOULEVARD SPECIFIC PLAN

An ordinance establishing a Specific Plan for a portion of Colorado Boulevard in the City of Los Angeles.

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

Section 1.

ESTABLISHMENT OF THE SPECIFIC PLAN

The City Council hereby establishes the Colorado Boulevard Specific Plan applicable to that area of the City of Los Angeles shown within the solid black lines and divided into three subareas as shown within the dashed lines on the Specific Plan maps.

Section 2.

RELATIONSHIP TO PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE

- A. The regulations of the Specific Plan are in addition to those set forth in the planning and zoning provisions of Los Angeles Municipal Code (L.A.M.C.) Chapter I, as amended, and any other relevant ordinances and do not convey any rights not otherwise granted under the provisions and procedures contained in that Chapter and other relevant ordinances, except as specifically provided herein.
- B. Wherever this Specific Plan contains provisions which require greater setbacks, lower densities, lower heights, more restrictive uses, greater parking requirements or other greater restrictions or limitations on development than would be required by the provisions contained in L.A.M.C. Chapter I, the Specific Plan shall prevail and supersede the applicable provisions of that Code.
- C. Uniform citywide procedures for review of applications for projects within specific plan areas in accordance with applicable specific plan requirements and the City Charter are established in L.A.M.C. Section 11.5.7.

Section 3.

PURPOSES

Colorado Boulevard within the Specific Plan area is a significant commercial area, particularly Subareas I and III. It is the purpose of this Specific Plan to insure that future development in the Specific Plan area occurs in a manner which is compatible with the surrounding residential community and with the capacity of the circulation system. The following general policies shall guide development within the Specific Plan area:

- A. Intensity and type of commercial uses shall be consistent with the character of the Eagle Rock Community. The regulations developed in this Specific Plan are intended to protect nearby residential

neighborhoods from possible detrimental effects of commercial uses.

- B. Subarea II shall have a pedestrian orientation. In this subarea, low intensity development shall be encouraged to take place as well as the preservation of cultural resources.
- C. Pedestrian-oriented design and development shall be encouraged and the adverse environmental effects of development within the Specific Plan area shall be minimized.
- D. Transfer of unused permitted floor area shall be permitted from properties within the pedestrian core area to other properties within the Specific Plan area.
- E. All new development shall include adequate buffering from nearby residential uses. Unsightly existing and new uses shall be properly screened, especially when fronting streets.
- F. Multi-family residential development shall only be encouraged above ground floor commercial or community-related uses within Specific Plan Subareas I and III.
- G. Shared parking for commercial uses shall be encouraged as well as a peripheral parking program. To the extent feasible, parking shall be provided in the rear of commercial lots.
- H. Mature and healthy trees and green open space shall be preserved.
- I. To the maximum extent feasible, cultural resources, architecturally-significant or historic structures or community related landmarks shall be preserved.
- J. This Specific Plan for the Colorado Boulevard area is in conformance with the Northeast Community Plan which calls for the development of a Specific Plan for the purposes of designating land uses and building intensities, and implementing programs for improvement of circulation and traffic and other improvements in conformance with the Community Plan.
- K. This Specific Plan is designed to enhance Colorado Boulevard which is characterized by its topography, strong visual and physical definition as a major east-west commuter boulevard, two intersecting freeway systems and stable adjacent residential areas.
- L. This Specific Plan area is designed to address the problems in this Colorado Boulevard commercial strip, which is characterized by the concentration of auto-related businesses with no rear alleys in commercial zones, and with considerable traffic.
- M. This Specific Plan encourages preservation of these architecturally and community-significant buildings, although many have received citations for earthquake safety deficiencies.

- N. This Specific Plan calls for buffering walls and screening to protect the adjacent single-family residential community from the light, noise, visual blight, air pollution and other nuisances caused by the commercial development on Colorado Boulevard.
- O. This Specific Plan will encourage economic viability of the area for both residents and businesses alike.
- P. This Specific Plan is necessary in order to assure that development proceeds in an orderly fashion and in conformance with the General Plan of the City of Los Angeles.

Section 4.

DEFINITIONS

The following words and phrases wherever used in this Specific Plan shall be construed as defined in this Section. Words and phrases not defined herein shall be construed as defined in L.A.M.C. Section 12.03, 17.02, 91.0402 through 91.0423 and 91.6203.

Blank Wall: A Blank Wall is a Street Wall or vehicle entry which faces the street and which has no architectural detailing, art work, landscaping, windows, doors or similar features.

Building Frontage: That portion of the perimeter wall of a building or structure which fronts on a public street or on a courtyard that is accessible from a public street.

Cultural Resource: A building or structure which is listed on the National Register of Historic Places or on the City's list of Cultural Historic Monuments.

Director: The Director of Planning or the Director's designee.

Donor Site: A lot located within Subarea II from which unused Permitted Floor Area may be transferred to a Receiver Site within the Specific Plan area, pursuant to Section 15 of this plan.

Fast Food Restaurant: A restaurant immediately adjacent to an automobile parking area, from which patrons are served at a counter and a drive-through window.

Floor Area Ratio: A multiplier applied to the buildable area of a commercially or residentially zoned lot in order to determine the maximum allowable square footage of a building.

Mixed-Use: One or more buildings on a lot or lots which contain both commercial and residential uses and in which the residential portion of the building does not exceed a floor area ratio of one to one (1:1).

Neighborhood Amenities: Uses or services regularly used by neighborhood residents, such as child care facilities, community centers, senior citizen centers, libraries, parks, museums, or neighborhood

recreational centers, and other similar uses and services as determined by the Zoning Administrator. Sale of goods or products may only be incidental to the main service use.

Open Space: Land which is free of buildings, surface parking, driveways for automobiles or trucks and other improvements, except for planted areas or recreational facilities. Open Space does not include required setbacks.

Permitted Floor Area, Additional: Floor area in excess of that permitted by the Base Permitted Floor Area allowed on Receiver Sites, pursuant to the procedures set forth in Section 15 of this Specific Plan.

Permitted Floor Area Ratio, Base: The Floor Area Ratio permitted on a lot in the Specific Plan area prior to the transfer of floor area, pursuant to the procedures set forth in Section 15 of this Specific Plan.

Permitted Floor Area Ratio, Unused: The square footage remaining after subtracting the actual floor area contained within all existing buildings on the Donor Site from the Base Permitted Floor Area on the Donor Site, prior to any transfer of floor area.

Premises: A building or portion thereof used for a single business.

Project: The construction, erection, addition to or structural alteration of any building or structure or a change of use on a lot located in whole or in part within the Specific Plan area. A Project does not include interior remodeling of a building which does not increase the floor area.

Receiver Site: A lot within Subareas I or III to which Unused Permitted Floor Area Ratio may be transferred. The term Receiver Site does not include a lot containing a Cultural Resource.

Subarea I: A portion of this Specific Plan area bounded by Eagle Dale Avenue on the west and mid-block between Windermere Avenue/Ellenwood Drive and the alley west of Eagle Rock Boulevard on the east, as indicated in the map in Section 1 of this Specific Plan.

Subarea II: A portion of this Specific Plan area bounded by mid-block between Windermere Avenue/Ellenwood Drive and the alley west of Eagle Rock Boulevard and Dahlia Avenue/Loleta Avenue on the east as indicated in the map in Section 1 of this Specific Plan.

Subarea III: A portion of this Specific Plan area bounded by Dahlia Avenue/Loleta Avenue and Eagle Vista Drive as indicated in the map in Section 1 of this Specific Plan.

Street Wall: A Street Wall is an exterior wall of a building which faces Colorado Boulevard, Eagle Rock Boulevard or any street which intersects either Colorado or Eagle Rock Boulevard.

Transparent: A clear or lightly tinted material with a light transmission level of not less than 40 percent and which is used for doors or windows, including display windows.

Unoccupied Tower: A structure, attached to a building, which is solely an architectural feature, which has a vertical dimension greater than its horizontal dimension, which is designed so that it may not be occupied by individuals, goods, materials or equipment, and which is not used for warehousing or office purposes.

Section 5.

PROHIBITIONS

No building permit, certificate of occupancy or change of use permit for a Project in the Specific Plan area shall be issued unless the Director determines, pursuant to applicable procedures set forth in L.A.M.C. Section 11.5.7, that the Project conforms to the applicable provisions of this Specific Plan.

Appeals from such a determination of the Director may be made pursuant to the procedures set forth in L.A.M.C. Section 11.5.7 C 6.

Section 6.

USES

A. Permitted Uses. Any use permitted in the C4 Zone on the effective date of this Specific Plan shall be permitted within the Specific Plan area on C4 zoned lots, with the following limitations.

B. Limitations.

1. The following uses shall not be permitted in Subareas II and III and shall be permitted within Subarea I only after the Area Planning Commission has approved the use as set forth in Paragraph 2 below:
 - a. Automobile service station and other automobile-related retail use;
 - b. Automobile repairing and painting;
 - c. Storage yard (automobile, machinery, construction material);
 - d. Hospital and convalescent home;
 - e. Fast food drive-through restaurant;
 - f. Rental equipment yard;
 - g. Mini-shopping center;
 - h. Any business which operates between the hours of 9 p.m. and 7 a.m.;
 - i. Motel and hotel; and
 - j. Rescue mission.

2. The above-listed uses may be permitted in Subarea 1, pursuant to approval by the Area Planning Commission. The Area Planning Commission shall have authority to approve any such use. The Area Planning Commission, in approving any of these uses, shall make the findings contained in L.A.M.C. Section 12.24 E. Approval of uses through this procedure shall not be construed as exempting the Project from other applicable provisions of this Specific Plan.
3. In Subareas I and III, multi-family uses shall only be permitted in Mixed-Use Projects with a residential density not to exceed the density permitted in the R3 Zone.
4. No multi-family uses shall be permitted in Subarea II unless it enhances or retains a Cultural Resource.

Section 7.

BUILDING STANDARDS

A. Ground Level Development.

1. Every Project shall include a Street Wall, which shall extend for at least 75 percent of the length of the street frontage, and shall be located five feet from the front lot line.
2. Blank Walls shall be limited to segments of 15 feet in length, except that Blank Walls which contain a vehicle entry door shall be limited to the width of the door plus five feet.

B. Transparency of Street Walls. At least 60 percent of the area of the first story Street Wall of any Project in Subarea II adjacent to Colorado Boulevard or Eagle Rock Boulevard shall consist of Transparent windows, doors, or openings affording views into retail, office or lobby space. This Transparency requirement is 30 percent for those Projects adjacent to streets other than Colorado or Eagle Rock Boulevards. The Transparency area shall be calculated separately for each street frontage and shall not be accumulated in those cases where a Project includes first story Street Walls along more than one street.

Section 8.

BUILDING HEIGHT

Notwithstanding L.A.M.C. Section 12.21.1 A 10 to the contrary, no Project within Subareas I or III shall exceed 55 feet in height above grade.

Notwithstanding L.A.M.C. Section 12.21.1 A 10 to the contrary, no Project within Subarea II shall exceed 30 feet in height above grade.

Exceptions:

Unoccupied Towers located at the corners of buildings may extend an additional 15 feet above the building height permitted in Subsection A 2 above.

No portion of any roof structure, as described in L.A.M.C. Section 12.21.1 B 3, shall exceed the specified height limits in Subarea II by more than five feet and in Subareas I and III by more than ten feet. In no case shall a roof structure permitted by L.A.M.C. Section 12.21.1 which exceeds the height limit specified in Subsection A above be permitted to add floor area.

Section 9.

BUFFERING WALLS AND SCREENING

A. **Buffering Walls.** Any Project located on a lot which abuts a residentially zoned lot or a lot on which a residential use is located shall include a solid, decorative masonry wall, 6 feet in height, as measured from grade.

B. **Screening.**

1. Auto-servicing uses and storage yards shall be screened with six-foot high landscaped, decorative screening from any abutting streets or residential uses. When the storage yard is used for the display of new cars, nursery materials, pottery or other artifacts, the Director may waive the screening requirement.
2. Notwithstanding any other provision of the L.A.M.C. to the contrary, surface parking, when adjacent to a street, shall be screened with a four-foot high, solid, decorative, masonry wall. However, when surface parking abuts a residential use, then a minimum wall height of six feet shall be required.
3. Roof-mounted mechanical equipment and/or duct work which exceeds the height of the roof ridge or parapet wall, whichever is higher, shall be screened from a horizontal view with materials compatible with the design of the building.

Pursuant to the procedures set forth in L.A.M.C. Section 11.5.7 E and F, adjustments or exceptions may be granted from the requirements of this Section for existing buffering, provided that the Director finds that the existing buffering conforms to the intent of this Section.

Section 10.

YARDS

A. **Subarea II** (Neighborhood-serving pedestrian core).

1. A five-foot front yard and a ten-foot rear yard shall be required for lots with a depth of 150 or more feet.
2. A five-foot front yard and a five-foot rear yard shall be required for lots with a depth of less than 150 feet.
3. No portion of a Project above 15 feet in height shall be within 15 feet of the rear lot line.

B. Subareas I and III.

1. All lots shall have a five-foot front yard and a ten-foot rear yard.
2. No portion of a Project above 15 feet in height shall be within 20 feet of the rear lot line.

- C. This Section shall not apply to a Project which consists only of interior or exterior remodeling.

Section 11.

LANDSCAPING

Projects shall meet the requirements of this Section, as determined by the Director.

- A. At least five percent of a Project's total lot area shall be landscaped.
- B. Twenty-four inch box trees shall be planted at 25 foot intervals along the street frontage of lots on which Projects are located. However, the planting of trees shall not obstruct driveways or interfere with utilities. Existing street trees may be used to satisfy this provision.

Prior to issuance of any grading or other building permit for a Project, a plan showing all existing and proposed trees on the lot shall be submitted to the City Planning Department and the Street Tree Division of the Bureau of Street Maintenance for approval. If the plan calls for removal of existing trees, then the plan shall be prepared by a reputable tree expert, as defined by L.A.M.C. Section 17.02, and shall contain measures recommended by the tree expert for the preservation of as many trees as possible and the number of desirable trees that require removal. Replacement trees shall not be smaller than 24 inch box trees, less than eight feet in height, or less than two inches in trunk diameter and shall not have a crown spread of less than five feet. Further, all trees shall be in a healthy growing condition. Root bound trees are not acceptable.

- C. At least seven percent of the total area of a surface parking area shall be landscaped. This percentage shall be included in the computation of the five percent requirement of Subsection A above. Twenty-four inch box trees shall be planted at a ratio of one for every four surface parking spaces and dispersed within the parking area so as to shade the uncovered, unroofed surface parking area.
- D. Parking structures shall have landscaping equal to at least two percent of the total floor area of the parking structure. Half of this required landscaped area shall be at the ground level in a buffer strip within eight feet of the parking structure walls. Subterranean parking spaces shall not be counted in the calculation of parking structure floor area. However, if the highest level of a parking structure is situated at the first story, then, notwithstanding the two percent requirement above, a landscaped area shall be provided around the outside of the parking structure and shall be at least seven percent of the floor area of the first story.

- E. All Mixed-Use Projects shall provide at least one hundred square feet of Open Space area per dwelling unit. When feasible, the Open Space shall be landscaped.
- F. The front yard shall be attractively landscaped. However, no landscaping is required for driveways or passageway areas when surface parking or a parking structure is provided along the street frontage.
- G. It shall be the responsibility of the property owner of any Project to maintain all landscape features located on private property, including but not limited to plant material, signs, walkways, benches, and fountains, in accordance with the following criteria:
 - 1. Each fabricated feature shall be maintained in a condition as near as possible to its original state when installed, both in structural integrity and cosmetic appearance;
 - 2. All vegetation shall be maintained, i.e., watered, fertilized, trimmed, etc., in a first-class condition and shall be designed in accordance with water conservation principles.
- H. This Section shall not apply to a Project which consists only of exterior remodeling or to a Project which does not add floor area equal to or greater than 10 percent of the floor area of the existing building.

Section 12.

EXISTING USES

- A. Existing uses on lots within the Specific Plan area shall be made to conform to the screening and buffering requirements of Section 9 within five years from the effective date of this Specific Plan.
- B. The owner of any lot in the Specific Plan area which contains landscaping or on which landscaping is planted shall maintain that landscaping in a first class condition.
- C. The owner of any lot in the Specific Plan area which contains landscape features, including but not limited to signs, walkways, benches and fountains shall maintain these features in a condition as near as possible to their original state when installed, both in structural integrity and cosmetic appearance. If more than normal maintenance work is required to comply with this requirement, as determined by the Director, then the features shall be made to comply within one year of the effective date of this Plan.
- D. The Director may, upon a showing of good cause, grant an extension of time for compliance with the requirements of this section, such time not to exceed an additional two years.

Section 13.

PARKING AND STREET ACCESS REQUIREMENTS

Projects shall meet the requirements of this Section, as determined by the

Director and the Department of Building and Safety.

- A. The minimum parking requirements shall be as follows:
1. For residential portions of Mixed-Use Projects, the Project shall provide for tenant parking on the subject lot, as required by L.A.M.C. Section 12.21 A, 4(a), and guest parking at a ratio of one-quarter of a parking space for each dwelling unit, in excess of that required by the L.A.M.C. Provided, however, that any condominium Project which has had a tentative tract map approved by the Advisory Agency (which tract map has not yet expired) or any apartment building or condominium (for which the building permit issued by the Department of Building and Safety prior to the effective date of this Specific Plan has not yet expired) shall be exempt from the parking requirements contained in this Paragraph.
 2. For buildings with more than 50 percent of the floor area used for office space, one parking space shall be required for each 500 square feet of floor area.
 3. For restaurants of less than 1,000 square feet of floor area, one parking space shall be required for each 200 square feet of floor area. For restaurants of 1,000 square feet of floor area or more, one parking space shall be required for each 100 square feet of floor area.
- B. These parking standards may be superseded by conditions of approval required by the Area Planning Commission, pursuant to Subsection 6 B 2 of this Specific Plan.
- C. Street Access. No building permit shall be issued for a Project located on a lot which has a coterminous lot line with Colorado Boulevard, until the Department of Transportation has reviewed, in detail, and approved the adequacy of the parking lot or parking structure design, including the number and placement of driveways for street access.
- D. Where the lot or lots to be developed have a lot line coterminous with a street other than Colorado Boulevard, then direct access to or from Colorado Boulevard shall not be encouraged.
- E. Where the lot or lots to be developed do not have a lot line coterminous with a street other than Colorado Boulevard, but do have abutting the rear lot line a street or an alley which has an outlet to a street other than Colorado Boulevard, then the site plans shall incorporate street or alley access points in addition to those on Colorado Boulevard.
- F. No parking shall be permitted on that portion of a lot located between the front lot line and any portion of a building which faces Colorado Boulevard, Eagle Rock Boulevard or any street which intersects either Colorado or Eagle Rock Boulevards.

- G. The provisions of this Section shall not apply to Projects which consist only of exterior remodeling.

Section 14.

SIGN STANDARDS

- A. **Approval.** No building permit or sign permit for an exterior sign shall be issued, nor shall any exterior sign be installed, unless the proposed sign has been reviewed and approved by the Director pursuant to the provisions in Section 19. In making a determination, the Director shall consider the type, area, height, shape, and projection of the proposed sign.
- B. **Prohibitions.** The following signs are expressly prohibited:
 - 1. Off-site signs, except existing legally erected off-site commercial signs located in the Specific Plan area may be replaced at a new site provided that the new location is in Subarea I or III, and the new sign otherwise is permitted pursuant to Division 62 - Signs (Section 91.6220 - Off-Site Signs) of the L.A.M.C. and meets all of the current ordinance requirements. The new sign shall not exceed the display area of the sign being replaced and shall be set back 5 feet from the front property line.
 - 2. Roof signs.
 - 3. Pole signs.
 - 4. Animated signs, including flashing neon signs.
 - 5. Mural signs.

Section 15.

PERMITTED FLOOR AREA RATIO AND PROJECT PERMIT COMPLIANCE REVIEW

- A. **Base Permitted Floor Area Ratio.** Projects within the Specific Plan area shall have a Base Permitted Floor Area Ratio of 1:1; however, Unused Permitted Floor Area may be transferred as provided for in this Section.
- B. **Maximum Permitted Floor Area Ratio.**
 - 1. The maximum Permitted Floor Area Ratio on lots within Subareas I and III, including transfer of floor area or density incentives, pursuant to Subsection D below, shall not exceed 2.5:1.
 - 2. The maximum Permitted Floor Area Ratio on lots within Subarea II, including Additional Permitted Floor Area for density incentives pursuant to Subsections D below, shall not exceed 1.5:1.
- C. **Additional Permitted Floor Area.** The Director may grant approval of Additional Permitted Floor Area, pursuant to this Section.

D. Density Incentives.

1. Provision of Neighborhood Amenities in exchange for Additional Permitted Floor Area shall be permitted in all subareas within the Specific Plan area. The Director may approve an additional three square feet of floor area for each square foot of Neighborhood Amenities, provided the continued use of the floor area for Neighborhood Amenities is guaranteed by covenant as defined in Subsection G below.
2. Provision of usable publicly accessible landscaped Open Space (i.e., landscaped courtyard, park, recreational area) in exchange for Additional Permitted Floor Area shall be permitted in all subareas within the Specific Plan area. The Director may approve an additional one and one-half square feet of floor area for each square foot of Open Space, provided maintenance of the Open Space use is guaranteed by covenant. This Open Space may be provided either on the lot on which the Project is located or on another lot within the Specific Plan area.
3. Rehabilitation of Cultural Resources, described in Section 16 of this Specific Plan, in exchange for Additional Permitted Floor Area shall be permitted within the Specific Plan area. The Director may approve an additional one square foot of floor area for each square foot of floor area contained in the rehabilitated Cultural Resource, provided the continuation and maintenance of the Cultural Resource is guaranteed by covenant. Rehabilitation of any Cultural Resource shall be to the U.S. Secretary of Interior's standards and at the expense of the applicant.
4. Provision of parking spaces for public use in excess of those required by Section 13 of this Specific Plan or of those required by the L.A.M.C., whichever is greater, in exchange for Additional Permitted Floor Area shall be permitted within the Specific Plan area, provided that such additional spaces are available for users patronizing businesses other than the Project benefitting from the development bonus. The Director may approve an additional four hundred square feet of floor area for each additional parking space, provided that maintenance of the parking space for use by patrons of these other businesses is guaranteed by covenant.

E. Transfer of Unused Permitted Floor Area. The Director, or the Area Planning Commission on appeal, may approve a transfer of Unused Permitted Floor Area from a Donor Site to a Receiver Site, provided the transfer is in conformance with the following rules for transfer:

1. Transfer of Unused Permitted Floor Area from a Donor Site located within Subarea II is permitted only to Subareas I and III.

2. The Maximum Unused Permitted Floor Area from Donor Sites in Subarea II that can be transferred to Receiver Sites within the Specific Plan area shall not exceed 1:1.
3. Unused Permitted Floor Area may be transferred to a Receiver Site from more than one Donor Site, and may also be transferred to more than one Receiver Site from a single Donor Site.
4. **Record of Transfers.** The Department of Planning shall maintain a record of any transfers of Unused Permitted Floor Area between parcels within the Specific Plan area, and other records as may be necessary to provide a current and accurate account of the transferred floor area available for use on any lot within the Specific Plan area. These records shall be available for public inspection.

F. Calculating Floor Area.

1. In calculating floor area, the area of an Unoccupied Tower shall not be calculated as floor area.
2. In calculating floor area, the yard requirements in Section 10 of this Specific Plan shall not reduce or limit the buildable area of a lot.

- G. Covenants.** Prior to the issuance of building permits for a Project utilizing one or more of the mechanisms listed in Subsection C above, all fee owners of the lot or lots involved shall execute a covenant and agreement in a form designed to run with the land and be binding on future owners, assigns and heirs and which is satisfactory to the Department of City Planning. The covenant shall acknowledge the reduced Permitted Floor Area on a donor Site to the extent Unused Permitted Floor Area was transferred to a Receiver Site, and shall guarantee the continued provision of Neighborhood Amenities, the rehabilitation and continued maintenance and operation of a Cultural Resource or the continued provision of additional parking spaces for the life of the Project, in exchange for Additional Permitted Floor Area. The applicant shall record the covenant in the County Recorder's Office and shall file certified copies with the Departments of City Planning and Building and Safety.

H. Project Permit Compliance Review.

1. **Authority.** No building permit shall be issued for any Project exceeding the Base Permitted Floor Area Ratio set forth in Subsection A above, unless the Director, or the Area Planning Commission on appeal, has granted a project permit compliance approving Additional Permitted Floor Area pursuant to this Section.
2. **Findings.** The Director, or the Area Planning Commission-on appeal, may approve a project permit compliance only if it makes the following findings in addition to those set forth in L.A.M.C. Section 11.5.7 C 2:

- a. That the Project conforms to all applicable provisions of and is consistent with the purposes and objectives of this Specific Plan, the General Plan and all applicable L.A.M.C. provisions, including:
 - i. That the transfer or density incentive results in Floor Area Ratios and overall densities of the Donor and Receiver Sites in conformance with this Specific Plan; and
 - ii. That the total floor area of the proposed Project, including any Additional Permitted Floor Area does not exceed the maximum Permitted Floor Area Ratio specified in Subsection B of this Section.
 - b. That the Project incorporates all feasible mitigation measures recommended in any environmental assessment;
 - c. That the increase in density generated by the proposed transfer or density incentive is appropriate with respect to location and access to the circulation system, other existing and proposed developments, and the City's supporting infrastructure;
 - d. That the transfer or density incentive does not result in a Project which is out of scale with surrounding development in the area or which is incompatible with surrounding uses;
 - e. That the transfer or density incentive serves the public interest by providing public benefits, which mitigate the impacts on transportation, housing, Open Space, and cultural, community and public facilities caused by the Project either by itself or cumulatively with other developments.
3. **Conditions of Approval.** In approving any project permit compliance, the Director or the Area Planning Commission on appeal, may impose such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood, or to secure an appropriate development in harmony with the objectives of the Specific Plan and of the General Plan.
 4. **Procedure.** A project permit compliance application and determination shall be processed pursuant to L.A.M.C. Section 11.5.7 C.
 5. **Fees.** A filing fee for an application for a project permit compliance to the Director shall be pursuant to L.A.M.C. Section 19.01 J 1.

6. **Appeals.** An appeal from a project permit compliance determination may be taken to the Area Planning Commission. The time limits and procedures for such an appeal shall be pursuant to L.A.M.C. Section 11.5.7 C 6.

I. **Exemption.** This Section shall not apply to a Project which consists only of exterior remodeling.

Section 16.

PRESERVATION OF CULTURAL RESOURCES

A. To the maximum extent feasible, Cultural Resources shall be retained and enhanced.

B. Any portion of Unused Permitted Floor Area on a Cultural Resource Site in Subarea II may be transferred to any Receiver Site located in Subareas I and III. Any such transfer shall be evidenced by a covenant and agreement executed by the transferor and transferee, which document restricts the floor area on the Cultural Resource site to the extent such Unused Permitted Floor Area is transferred to a Receiver Site. The covenant, satisfactory to the Department of City Planning, shall be in a form designed to run with the land and be binding on subsequent owners, heirs and assigns. The covenant shall be recorded in the County Recorder's Office and the applicant shall file a certified copy of the recorded covenant with the Department of City Planning. This transfer of Unused Permitted Floor Area may be combined with any other transfer linked to the rehabilitation of the Cultural Resource as described in Section 15 D 3 of this Specific Plan.

Section 17.

UNDERGROUND UTILITIES

All new utility lines which directly serve a new Project shall be installed underground. If underground service is not currently available, then provisions shall be made for future underground service.

Section 18.

LIGHTING

No building permit shall be issued for any Project unless the Director has approved, as part of the project permit compliance procedure, an exterior lighting plan in conformance with this Section. All exterior outdoor lamp fixtures shall be shielded to minimize illumination of adjacent properties and to reduce glare. Floodlighting of buildings shall be prohibited, as well as the use of low-pressure sodium lighting devices. All exterior lighting,

except for purposes of safety, security and to illuminate signs and billboards, shall be turned off at the end of business hours.

Section 19.

DESIGN REVIEW Design Review Board Procedures Amended pursuant to L.A.M.C. Section 16.50.

The purpose of this Section is to provide guidelines and a procedure for review and approval by the Director of the design of buildings within Subarea II and signs within Subareas I, II and III.

A. Prohibition.

1. Within Subarea II of this Specific Plan area, no building permit shall be issued for any Project unless the Project has been reviewed and approved in accordance with the Design Review Board Procedures of Section 16.50 and the Specific Plan Procedures of Section 11.5.7 of the L.A.M.C.
2. No sign permit shall be issued for any new sign within the Specific Plan area unless a graphic representation and location plan of the sign has been reviewed and approved in accordance with the Design Review Board Procedures of Section 16.50 of the L.A.M.C.

B. Composition of Members.

The Design Review Board shall consist of seven voting members in accordance with Section 16.50 D 3 of the L.A.M.C., except that to the maximum extent practicable, three members shall be licensed architects and two members shall be from among the following disciplines: landscape architecture, urban planning, or architectural historic preservation. The remaining members need not be design professionals.

C. Design Review Guidelines. The following design elements shall be complied with by developers and utilized by the Director, the Area Planning Commission and the Design Review Board when evaluating the design of a Project.

1. Recessed Windows and Door.
 - a. Windows shall be recessed a minimum of three inches (including trim) from the finished wall, as more fully described in Figures 17 to 21 in Appendix A in City Plan Case File No. 87-0386 SP.
 - b. Main entry doors shall be sufficiently recessed so that the door, upon outward movement, does not extend beyond the adjacent finished wall, as more fully described in Figures 17 to 21 in Appendix A in City Plan Case File No. 87-0386 SP.
2. Display windows required under Section 7 B shall be constructed by "bays" and repeated as an architectural feature if special dimensions allow, as more fully described in Figures 18 to 22 in Appendix A in City Plan Case File No. 87-0386 SP.
3. Beltcourse or similar architectural treatment shall be used to define floor levels, as more fully described in Figure 23 in Appendix A in City Plan Case File No. 87-0386 SP.

4. A building located on a corner shall incorporate architectural features which orient the building to the corner by use of curvilinear design at the corner, corner entry, a corner tower, or a combination of these or similar architectural treatment, as more fully described in Figures 20 to 24 in Appendix A in City Plan Case File No. 87-0386 SP.
5. All buildings shall have parapet walls. Parapets shall be enhanced with architectural detailing, such as brackets and dental, architrave, cornice, frieze, or beltcourse.
6. Pedestrian entrances to buildings shall be at grade.
7. Detailing: All door and window openings shall contain distinctive features utilizing techniques such as varying the orientation, type, color, size and shape of the surrounding materials, as more fully described in Figures 21 and 25 in Appendix A in City Plan Case File No. 87-0386. SP.
8. All non Transparent wall surfaces shall be screened by the planting of shrubs or vines which at maturity will cover the non Transparent wall surface to a height of nine feet.
9. If security gates, shutters, or screening are installed over any Transparent wall surface or door, then they shall be placed on the interior of the building and hidden from view when not in use.
10. No exterior stuccoing shall be allowed on buildings in existence on the effective date of this Specific Plan, unless the building was already stuccoed on the effective date.
11. Awnings, if used, shall be individually integrated with the shape, form and dimensions of building bays or framing elements.
12. Seismic safety repairs shall be accomplished so that, to the extent possible, when completed, the repairs are not visible from the exterior of the building or the repairs are integrated into the design of the exterior of the building.
13. Remodeling efforts which consists of removing previous remodeling materials to restore or expose the original building are encouraged. Remodeling efforts, however, which would cover, remove or damage any of the exterior design or detailing of a building shall be prohibited.
14. Materials Statement (General Guidelines).
 - a. Use of brick as a basic building material or as detailing material is encouraged.
 - b. Stucco, or a similar surfacing material is permissible on new construction, provided the finished surface is smooth (30 silica sand finish). Textured surfaces shall not be used.

- c. The use of stucco or similar surfacing material may be used for architectural detailing.

D. **Development and Adoption for Further Design Guidelines.** The Design Review Board shall propose further design guidelines to implement provisions of the Specific Plan. These guidelines may be illustrations, interpretations or clarifications of policies, and may address the color, materials, texture and/or design of features. The guidelines shall have no force or effect until approved by the City Planning Commission and updated as necessary, and copies of the guidelines shall be available from the Department of City Planning.

Section 20.

OWNER ACKNOWLEDGMENT OF LIMITATIONS

The Department of Building and Safety shall issue no building permit for construction upon any lot within the Specific Plan area until such time as the owner or owners of the lot or lots have executed and recorded with the County Recorder, in a form designed to run with the land, binding on future owners, assigns and heirs, and satisfactory to the City Attorney, an acknowledgment and acceptance of the contents and limitations of this Specific Plan.

Section 21.

SEVERABILITY

If any provisions of this Specific Plan or the application thereof, to any person or circumstance, is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other Specific Plan provisions, clauses, or applications thereof which can be implemented without the invalid provision, clause, or application and, to this end, the provisions and clauses of this Specific Plan are declared to be severable.