

**EXHIBIT E-2**

**DRAFT**

**The Oaks Interim Control Ordinance**

An ordinance imposing interim regulations on the issuance of building and demolition permits in a portion of the Hollywood Community Plan Area for the properties generally bounded by Griffith Park on the North; Griffith Park, Fern Dell Drive, Tyron Drive, and Live Oak Drive on the East; Franklin Avenue and Foothill Drive on the South; Canyon Drive on the West including properties west of Canyon Drive north of Argosy Way.

**WHEREAS**, on September 29, 2006 the City Council instructed the Department of City Planning to initiate proceedings to develop planning tools to reinforce existing residential character in many hillside neighborhoods experiencing new infill development; and

**WHEREAS**, the subject area contains an eclectic mixture of older homes in a variety of architectural styles, many sited on lots with significant topography; and

**WHEREAS**, the Plan Areas are designated as hillside areas and these hillside areas typically include ridge lines, canyons, desirable natural and protected vegetation, including prominent and native trees, natural water courses, and areas particularly abundant in wildlife; and

**WHEREAS**, many of these hillside areas are characterized by substandard, steeply sloped lots and substandard infrastructure, such as narrow roads and limited access for residents and emergency vehicles. These substandard lots may require significant grading to develop single family homes; and

**WHEREAS**, approximately 52 permits for the expansion of existing homes and properties, as well as infill development on vacant lots have been issued between 2001 and 2005. This development often results in insensitive, out-of-scale development which is frequently incompatible in scale with the adjacent properties and surrounding neighborhood and, in addition, requires extensive hillside grading; and

**WHEREAS**, the impact of excessive grading in the hillside areas in the Plan Areas increases the likelihood of soil erosion, landslides, deforestation and depletion of plant and animal life; and

**WHEREAS**, the articulated objectives and policies of the Hollywood Community Plan, which was updated in December, 1988, are to (1) preserve and

enhance the varied and distinctive residential character of the community, and (2) to encourage that hillside residential areas retain the natural terrain and ecological balance, and (3) provide a standard of land use intensities compatibility with street capacity, public service facilities, utilities, and topography; and

**WHEREAS**, the proposed Interim Control Ordinance is required in the interest of the health, economic prosperity, and general welfare of the people.

**NOW THEREFORE,**

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

**Section 1. DEFINITIONS.** The following words and phrases, whenever used in this ordinance, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in Section 12.03 of the Los Angeles Municipal Code.

**Project:** The demolition, construction, erection, reconstruction, or addition to any building that increases floor area and which requires the issuance of a building permit, grading permit, excavation permit, or foundation permit (Permit) on any lot located in whole or in part within the area identified in Section 3 of this ordinance. The term "Project" shall not include interior remodeling that does not add to the square footage of any building on a lot.

**Floor Area Ratio:** A coefficient, which is multiplied by the **gross** lot area to determine the maximum floor area of all buildings on a lot.

**Floor Area:** For purposes of this ICO, the Floor Area is as defined in Section 12.03 and Section 12.21.1 A.5 of the LAMC, except that the square footage of a garage shall not be counted as part of the total floor area provided the garage does not exceed 500 square feet. Any square footage in the garage in excess of 500 square feet shall be counted as part of the total floor area.

**Addition:** An extension or increase in floor area or height of a building or structure.

**Section 2. PROHIBITION.**

1. No permit shall be issued for any Project that exceeds the following thresholds. The square footage of a garage shall not be counted as part of the total floor area provided the garage does not exceed 500 square feet. Any square footage in the garage in excess of 500 square feet shall be counted as part of the total floor area. In no event shall the total permitted floor area of all structures on a lot be less than 1,600 square feet.

The Floor Area Ratio shall be:

- a. On lots 4,000 square feet or less, the maximum Floor Area Ratio shall be: 0.37:1
  - b. For lots greater than 4,000 square feet and up to 8,000 square feet in size, the total Floor Area shall be increased by 0.27 of the amount of lot area exceeding 4,000 square feet.
  - c. For lots greater than 8,000 square feet and up to 12,000 square feet, the total Floor Area shall be increased by 0.17 of the amount of lot area exceeding 8,000 square feet.
  - d. For lots greater than 12,000 square feet and up to 16,000 square feet, the total Floor Area shall be increased by 0.1 of the amount of lot area exceeding 12,000 square feet.
  - e. For lots greater than 16,000 square feet, the total Floor Area shall be increased by 0.025 of the amount of lot area exceeding 16,000 square feet.
2. An addition up to 250 total square feet, measured cumulatively from the effective date of this Ordinance, may be permitted to any structure for which a Certificate of Occupancy was acquired prior to the effective date of this ordinance, provided the addition meets all relevant requirements of the LAMC. These 250 square feet may be in excess of those limitations in Section 2.1 of this Ordinance.

**Section 3. INTERIM CONTROL ORDINANCE.** The provisions of this ordinance shall apply to any lot located whole or in part within the boundaries as shown on the following map.



#### **Section 4. EXCEPTIONS**

- A. The prohibition specified in Section 2 of this ordinance shall not apply to any construction for which a building permit or demolition permit is required:
  - 1. To comply with an order issued by the Department of Building and Safety or the Housing Department to repair or demolish an unsafe or substandard condition;
  - 2. To rebuild as a result of destruction by fire, earthquake or other natural disaster, provided that the development is not prohibited by any provision of the Los Angeles Municipal Code.
  
- B. The prohibition specified in Section 2 of this ordinance shall not apply to any permit for a Project for which:
  - 1. Architectural and structural plans sufficient for a complete plan check were accepted by the Department of Building and Safety prior to the effective date of this ordinance; and
  - 2. A plan check fee was accepted by the City on or before July 12, 2007; and
  - 3. No subsequent changes are made to those plans, which increase or decrease the height, floor area or occupant load by more than five percent or change the use, or if any changes violate the Zoning Code regulations in force on the date that the plan check fee was paid.

**Section 5. EXTENSION OF REGULATIONS.** The City may, by resolution, extend the provisions of this ordinance for two additional 180 day periods not to exceed 365 days so long as the City Council makes the following finding: That the appropriate City agencies and officials are exercising due diligence to assure that the appropriate land use regulatory controls for the subject area are being expeditiously processed.

**Section 6. HARDSHIP EXEMPTIONS.** The City Council, acting in its legislative capacity, and by resolution, may grant an exemption from the provisions of this ordinance in cases of extreme hardship duly established to the satisfaction of the City Council. An application for hardship exemption shall be filed with the City Clerk on forms provided by the Department of City Planning.

**Section 7. APPLICABILITY OF THE ZONING CODE.** The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code and any other ordinances and do not contain any rights not otherwise granted under the provisions and procedures contained in that chapter or any other ordinances.

**Section 8. SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.