



KAREN BASS  
MAYOR

July 1, 2024

**Re: Mayor Bass Executive Directive No. 1 (3rd Revised)**

Dear Colleagues,

Executive Directive 1 (ED1) has led with historic urgency to bring Angelenos inside and provide new housing in Los Angeles, having expedited more than 18,000 affordable units in the City thus far. Today I issued a revision to Executive Directive 1 to continue this progress and provide regulatory guidance to new 100% affordable housing proposals so that as we build, we build better.

The revision will create additional protections for existing residential tenants, ensure the protection of historic resources, create safeguards for projects in very high fire risk areas and industrial sites, and improve the design, landscaping, and open spaces of new affordable housing. As the permanent Executive Directive 1 program is considered by Council, we can't forget about those who are building these projects and I am prepared to support labor standards and protections for qualifying 100% affordable ED1 projects receiving streamlined approvals. It is also important that we include regulations to promote geographic equity and the distribution of affordable housing citywide. I remain committed to making this program to boost affordable housing production a permanent part of our city codes and I thank the City Council for their continued work to make this a reality.

Sincerely,

A handwritten signature in black ink that reads 'Karen Bass'. The signature is written in a cursive, flowing style.

KAREN BASS  
Mayor



KAREN BASS  
MAYOR

## EXECUTIVE DIRECTIVE NO. 1

Issue Date: December 16, 2022

Revised: June 12, 2023

Revised: July 7, 2023

Revised: July 1, 2024

**Subject: Expedition of Permits and Clearances for Temporary Shelters and Affordable Housing Types**

### INTRODUCTION

To aid in swiftly sheltering people who are unhoused in the City of Los Angeles, and by virtue of the authority vested in me as Mayor of the City of Los Angeles under Section 231(i) of the Los Angeles City Charter and the provisions of Section 8.33 of the Los Angeles Administrative Code, I hereby declare the following order to be necessary for the protection of life and property and I hereby order, effective immediately, that:

1. Applications for 100% affordable housing projects, or for Shelter as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) (hereinafter referred to as Shelter), shall be, and hereby are deemed exempt from discretionary review processes otherwise required by either the zoning provisions of Chapter 1 and 1A of the LAMC or other Project Review, including Site Plan Review as described in LAMC Section 16.05 and LAMC Section 13B.2.4, and Haul Routes per LAMC Section 91.7006.7.5, and related Public Works reviews, including LAMC Section 62.161 through 62.178 and Section 46.00 through 46.06, as long as such plans do not require any zoning change, variance, or General Plan amendment, and in no instance shall the project be located in a single family or more restrictive zone. Furthermore, all eligible projects shall be consistent with the following standards:
  - A. The project site does not include any parcels located in a manufacturing zone that does not allow multifamily residential uses.

- B. The project is not located on a hazardous waste site that is listed pursuant to California Government Code Section 65962.5 or a hazardous waste site designated by the State Department of Toxic Substance Control pursuant to Section 25356 of the Health and Safety Code, unless the applicable regulatory authority has made a determination that the site is suitable for residential or residential mixed uses.
- C. Project sites that are or were previously used as a gas or oil well as identified by the California Geologic Energy Management Division shall not be approved until a Phase I environmental assessment, as defined in Section 25319.1 of the Health and Safety Code, is completed, and a Phase II environmental assessment, as defined in subdivision (o) of Section 25403 of the Health and Safety Code, is completed if warranted. A “No Further Action” letter, or some other comparable documentation issued by the appropriate regulatory agency shall be required to establish eligibility for this program.
- D. The project does not include any parcels that are located in the Very High Fire Hazard Severity Zone portion of the Hillside Area Map per Council File 09-1390.
- E. The project does not include any parcels that are included in the National Register of Historic Places or the California Register of Historical Resources, either individually or within a historic district, or included within a Historic Preservation Overlay Zone (HPOZ), or designated as a City Historic-Cultural Monument, does not include any eligible historic or architectural resource located in the Westwood Village Specific Plan, Central City West Specific Plan, Echo Park CDO District, or the North University Park Specific Plan, and does not include any eligible historic resource identified within the South Los Angeles Community Plan Implementation Overlay (CPIO) Section 1-6.C.5.b, the Southeast Los Angeles CPIO Section 1-6.C.5.b, the West Adams CPIO Section 6.C.5.b, or the San Pedro CPIO Section 7.C.5.b
- F. All at grade or above grade parking shall be screened with active uses or visually opaque materials and treatments along all facades visible from public rights-of-way, excluding driveway/garage entrances.
- G. Any building fronting a public street shall have at least one pedestrian entrance facing a public street. Pedestrian access to the street facing entrance shall be provided.
- H. All floors located above the ground floor shall have glazing equivalent to a minimum of 20 percent of the facade area. Ground floor facades in commercial zones fronting the primary street shall have glazing equivalent to a minimum of 30 percent of the facade area.

- I. For a project site with a residential zoning classification, the entire project site's zoning, prior to the granting of any density bonus, shall permit the construction of 5 or more residential units, rounded up to the nearest whole number, on the project site.
  
- J. Projects seeking Density Bonuses under LAMC Section 12.22A.25 shall be eligible for no more than five incentives and one waiver. Furthermore, any project seeking off-menu incentives, waivers, or modifications of any development standard(s) not on the menu described in LAMC Section 12.22A.25(g)(3) shall be limited as follows:
  1. A project in a residential land use designation shall be eligible to request no more than a 100 percent increase in floor area, or up to a floor area ratio of 3.5 to 1, whichever is greater.
  2. A project in a residential zone shall be eligible to receive no more than a total project height increase of three stories, or 33 feet, in excess of the otherwise applicable height limit imposed by the project's zoning.
  3. A project in a residential land use designation shall provide no less than a side yard setback of 5 feet and a rear yard setback of 8 feet. A reduction of front yard setbacks shall be limited to maintain the average of the front yards of adjoining buildings along the same street frontage. If located on a corner lot or adjacent to a vacant lot, the front yard setback may align with the facade of the adjoining building along the same front lot line. If there are no adjoining buildings, no reduction in the front yard setback is permitted. For the purpose of requesting an off-menu incentive or waiver to reduce required yards, all adjustments to individual yards or setbacks may be combined to count as one off-menu incentive or waiver.
  4. A project shall be eligible to request no more than a 50 percent reduction in the otherwise required open space.
  5. A project shall be eligible to request no more than a 50 percent reduction in the otherwise required bicycle parking
  6. A project shall be eligible to request no more than a 25 percent reduction in any otherwise required tree planting requirements
  7. A project located in a commercial zone shall be eligible to request no more than a 30 percent reduction in any otherwise required ground story requirement related to ground story minimum height requirements, ground story nonresidential floor area requirements, ground story glazing and transparency requirements, or ground story pedestrian entrance number and spacing requirements. If requesting multiple modifications to ground story requirements, they may be combined to count as one incentive or waiver, but each individual request shall not exceed a 30 percent reduction.
  8. The building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of any adjoining lot in the RW1 zone or more restrictive zone.
  9. For projects seeking a height increase of three stories, or more than 22 feet, the top story of the project shall be stepped back 10 feet from the exterior

building face fronting any public street; for buildings with 70 linear feet or greater in width along the front street frontage, the top story of the project shall be stepped back 10 feet from all exterior building faces. Any portion of a building that is already set back 10 feet or more from required front, side and rear yards shall be exempt from these requirements. Projects with any frontage on a street with a General Plan designation of Boulevard or Avenue shall be exempt from these requirements.

- K. For 100% affordable projects approved under this Directive, any inclusion of Accessory Dwelling Units, or the future conversion of amenity spaces and parking areas, including but not limited to recreation rooms, community rooms, storage rooms, office, and fitness rooms, into dwelling units (including Accessory Dwelling Units) shall be provided as covenanted affordable units at affordability levels and terms equal to the approved project.
- L. The project is not located on a parcel or parcels subject to the Rent Stabilization Ordinance (RSO) containing 12 or more total units that are occupied or were occupied in the five-year period preceding the application.
- M. The project shall replace all existing RSO units and RSO units demolished on or after January 1, 2020 pursuant to the replacement requirements of California Government Code Section 65915(c)(3). The project shall also comply with the following:
  - 1. If the income level of occupants is unknown, or if the income is above lower income, the units shall be replaced according to Sec. 65915(c)(3)(C)(i); and
  - 2. If the units are occupied by lower income households that intend to exercise the right to return, the units shall be replaced with an affordable unit subject to a recorded covenant so that rent is affordable to extremely low, very low, or low income households depending on the income of the household, as verified by the Los Angeles Housing Department.
- N. Returning tenants exercising the right of first refusal for a comparable affordable replacement unit shall be offered a new unit in the proposed development at an initial rate no higher than the most recent lawful rent for their prior unit if the prior unit was subject to the RSO, unless the affordable rent based on the household's income is lower, in which case the affordable rent shall be the initial rental rate. Thereafter, rent increases for such tenants shall not exceed the allowable rent increase for rent stabilized units under LAMC Chapter XV, and this limitation shall be included in the covenant recorded for the affordable replacement unit.
- O. Returning tenants shall not be required to pay a security deposit greater than one half of their initial monthly rent, and shall be permitted to pay any required security deposit up to 90 days after moving into their replacement unit.

- P. Prior to the issuance of a building permit for a 100% affordable housing project, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder guaranteeing that the affordability of units contained in such projects, including any required affordable replacement units, will be observed for at least 99 years from the issuance of the Certificate of Occupancy, except for a 100% affordable housing project which receives any form of public subsidy that is tied to a specified covenant period including Low Income Housing Tax Credits, as verified by the Los Angeles Housing Department, in which case all restricted affordable units shall be covenanted for at least a period of 55 years for rental units, or 45 years for for-sale units.
2. In determining the number of Protected Units contained on the site of the proposed development, the Housing Department shall allow a minimum Rental Unit Determination response period of 30 days to ensure low-income tenants are able to successfully and accurately demonstrate their true household income. The Housing Department's outreach to tenants shall consider tenants' internet and computer access and language needs. The Department shall also consider whether in-person outreach is appropriate.
  3. Consistent with fair housing and other legal requirements, the Housing Department, with the assistance of the City Attorney, is directed to develop a Priority Occupancy Process to give priority access to affordable housing to occupants of units removed as a result of a development incentive program, including this Directive, the Transit Oriented Communities program, Density Bonus program, or other policy or program that streamlines and accelerates the development of housing requiring the redevelopment of occupied units. Under the Priority Occupancy Process, eligible low-income tenants who occupied such units shall be given priority for placement in subsidized or covenanted affordable housing developments that are required to have LAHD-approved Property Management Plans and Tenant Selection Plans. The Priority Occupancy Process shall take into account the accessibility needs of disabled occupants, household income levels, and eligibility requirements of newly permitted affordable housing, and shall not require tenants to relinquish their right of first refusal should they elect to be relocated to a unit based on Priority Occupancy.
  4. The Housing Department shall prepare a report to the Chief of Housing and Homelessness Solutions within 45 days on improvements, enhancements, and expansion of services and outreach related to rental unit determinations, tenant navigation services, notifications to ensure tenants are able to successfully document their income, and notification and outreach related to the Priority Occupancy Process for newly constructed affordable housing and the Right of First Refusal. The Housing Department shall identify in the report existing and new resources that can be dedicated to this effort, including potential partnerships with established Community-Based Organizations to improve outreach.

5. All City departments are directed to process all plans for such 100% affordable housing projects or Shelter using the streamlined ministerial review process currently used for projects eligible under Government Code section 65913.4, State Density Bonus law.
6. I further direct all applicable City Departments to process clearances and utility releases related to building permit applications, certificates of occupancy, or temporary certificates of occupancy within 5 business days for 100% affordable housing projects and within 2 business days for Shelters.
7. I further direct all applicable City Departments to conduct and conclude all reviews and inspections required for 100% affordable housing projects or Shelters and to issue all appropriate approvals for such projects or Shelters within 60 days following the submission of the completed application. City Departments shall provide the applicant with all required changes or amendments on or before the 30th day following the submission of a completed application for such projects. To the extent practicable, all required reviews and approvals shall be conducted simultaneously, not sequentially, by all City departments so as to meet the 30 day and 60 day periods specified for such projects in this paragraph.
8. I hereby direct the City Planning Department to, within 45 days, create a public dashboard of projects seeking City Planning approval under this directive.
9. I hereby direct the Los Angeles Housing Department (LAHD) to coordinate with the Los Angeles City Controller to track and process all affordable housing projects and expedite payments thereon. LAHD shall track each pending pay application, initial submittal date, approval date, reasons for rejection or modification of submitted payment applications, and issuance of payment, and shall provide reports to the Mayor on all such payments at least monthly with the goal of expediting payments due for affordable housing projects.
10. I hereby direct that all protocols set by the Los Angeles County Coordinated Entry System as they apply within the City of Los Angeles be expanded, changed, or suspended, as allowed by federal law. Rules, guidelines and regulations will be developed to expedite the placement of unhoused neighbors into housing in the City of Los Angeles.
11. I hereby direct all City departments to prioritize and streamline compliance with the provisions of the Building Homes and Jobs Act – Government Code section 27388.1 in order to maximize the City's eligibility for state and federal funds to support the development of emergency shelters, transitional housing, and supportive housing. The City shall seek to comply with or otherwise meet all criteria specified under all applicable state and federal laws that provide for increased resources, funding, access or allowance for temporary or affordable housing.
12. Effective February 28, 2023, in accordance with the end of the State of California COVID-19 emergency, I hereby rescind the Public Order Under City of Los

Angeles Emergency Authority issued on January 28, 2022 (January 28, 2022 Order). Notwithstanding this action, all entitlements already approved and still valid as of this date, or approved during the effective period of the January 28, 2022 Order, shall remain valid for the extended time period(s) as if such January 28, 2022 Order were still in effect with respect to such entitlements. Furthermore, local decision-makers, including the Director of Planning and the Chief Zoning Administrator, are authorized to continue to hold all required public hearings under the Los Angeles Municipal Code in a manner consistent with the Governor's Executive Order N-29-20, and any subsequent orders or published guidance pertaining to local legislative bodies.

13. The City Planning and Housing Departments shall issue guidelines as necessary to implement the provisions of this Executive Directive.
14. A project that has submitted a City Planning application or a Housing Crisis Act Vesting Preliminary Application Form to the Department of City Planning prior to the effective date of this revised Executive Directive shall be deemed eligible to proceed under the regulations of the July 7, 2023 version of this Executive Directive.
15. Upon the expiration of this Executive Directive any project that has submitted a City Planning application or a Housing Crisis Act Vesting Preliminary Application Form to the Department of City Planning after the effective date of this revised Executive Directive shall be deemed eligible to proceed under the regulations of this Directive. Any project that has submitted a City Planning application or a Housing Crisis Act Vesting Preliminary Application Form to the Department of City Planning prior to the effective date of this revised Executive Directive shall be deemed eligible to proceed under the regulations of the July 7, 2023 version of this Directive.

Executed this 1<sup>st</sup> day of July, 2024.



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KAREN BASS  
Mayor