

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**  
***SUPPLEMENTAL***  
***CF 07-2306***

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA	EIR SCH 2005091041	14-HUIZAR
<b>PROJECT ADDRESS:</b>		
130 SOUTH OLIVE		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Heather Bleemers	213-978-0092	<a href="mailto:Heather.bleemers@lacity.org">Heather.bleemers@lacity.org</a>

<b>NOTES / INSTRUCTION(S):</b>	
<p>Transmitting Correction to the Zone Change Ordinance</p>	
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Rocky Wiles for Claudia Rodriguez Council Liaison	10-30-17

**DEPARTMENT OF  
CITY PLANNING**

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ROCKY WILES  
COMMISSION OFFICE MANAGER  
(213) 978-1300

**CITY OF LOS ANGELES**  
CALIFORNIA



ERIC GARCETTI  
MAYOR

**EXECUTIVE OFFICES**  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP  
DIRECTOR  
(213) 978-1271

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER  
(213) 978-1272

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
(213) 978-1274

<http://planning.lacity.org>

October 30, 2017

Honorable City Council  
City of Los Angeles  
Room 395, City Hall  
Mail Stop 160

Council File No. 07-2306  
Council District No. 14-Huizar  
Central City Community Plan

**CORRECTED ORDINANCE AND ZONE CHANGE MAP: CF 07-2306**

Dear Honorable Members:

The subject request corrects Ordinance No. 179,226 which was intended to change the zoning on parcels that were publicly-owned. However, the Ordinance was adopted with a Zone Change Map that did not include an approved contingency clause that would release the parcel from the provisions of the Ordinance in the event that the parcel was not acquired by the Grand Avenue Project. The parcel has been and remains privately-owned and was never acquired by the Grand Avenue Project. By including the subject parcel in the Zone Change Map for the Grand Avenue Project, a public project, the City's action has rendered the privately-owned land undevelopable for any use other than those identified in Ordinance 179,226. As such, the corrected Zone Change Map corrects this error by removing the subject parcel from the Ordinance thereby restoring the zoning of the site to the R5-4D Zone.

On behalf of the Department of City Planning, I approve the subject correction ordinance and recommend republication of the Ordinance and transmittal of the Corrected Zone Change Map to the subject Council File, in accordance with the actions of the City Council.

Pursuant to Council Rule No. 38, transmitted herewith is the Correction Ordinance and Zone Change Map, recommended for adoption by your Honorable Body.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

Charles J. Rausch, JR.  
Interim Chief Zoning Administrator

Attachments:  
Correction Ordinance – 179,226  
Corrected Zone Change Map

## **Background**

The subject property, generally known as Parcel W-1 in the Bunker Hill Redevelopment Plan, was included in a Zone Change associated with the Grand Avenue Project, approved in 2007. The subject parcel never became part of the Grand Avenue Project and therefore, a correction to reinstitute the original R5-4D zoning of the site is necessary. As part of Case No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA, the Development Agreement included a provision that releases the site from the requirements of Ordinance No. 179,226, in the event that the parcel was not ground leased or acquired by the Grand Avenue Project. The subject parcel has always been under private ownership and was never acquired by the Grand Avenue Project. However, the Planning determination omitted the language that would allow for the parcel to be released from the "Q" Conditions in the event that the Grand Avenue Project did not acquire the site. As such, the current owner is not required to implement the conditions of a project that does not govern the project site and is therefore unlawfully encumbered by the Conditions of Approval of the Grand Avenue Project. Thus, a correction to Ordinance No. 179,226 to reinstate the original zoning of the project site is necessary for the property owner to utilize their legal property rights.

## **Findings**

The subject property is located within the Central City Community Plan area, adopted by the City Council on January 8, 2003.

The corrected ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan as reflected in the adopted Community Plan in that the subject property is privately owned. Applying the [T][Q]C2-4D Zone and requirements of the Grand Avenue Project to a privately-owned property was not the intent of the City Planning Commission and the City Council.

The corrected Ordinance to restore the site to the R5-4D Zone will not relate to nor have an effect upon other General Plan elements, specific plans, or other plans in preparation by the Department of City Planning.

The corrected Ordinance conforms to the requirements of Government Code Section 65860, which requires that zoning be consistent with the adopted General Plan.

The subject correction is an administrative action and is exempt from California Environmental Quality Act (CEQA)

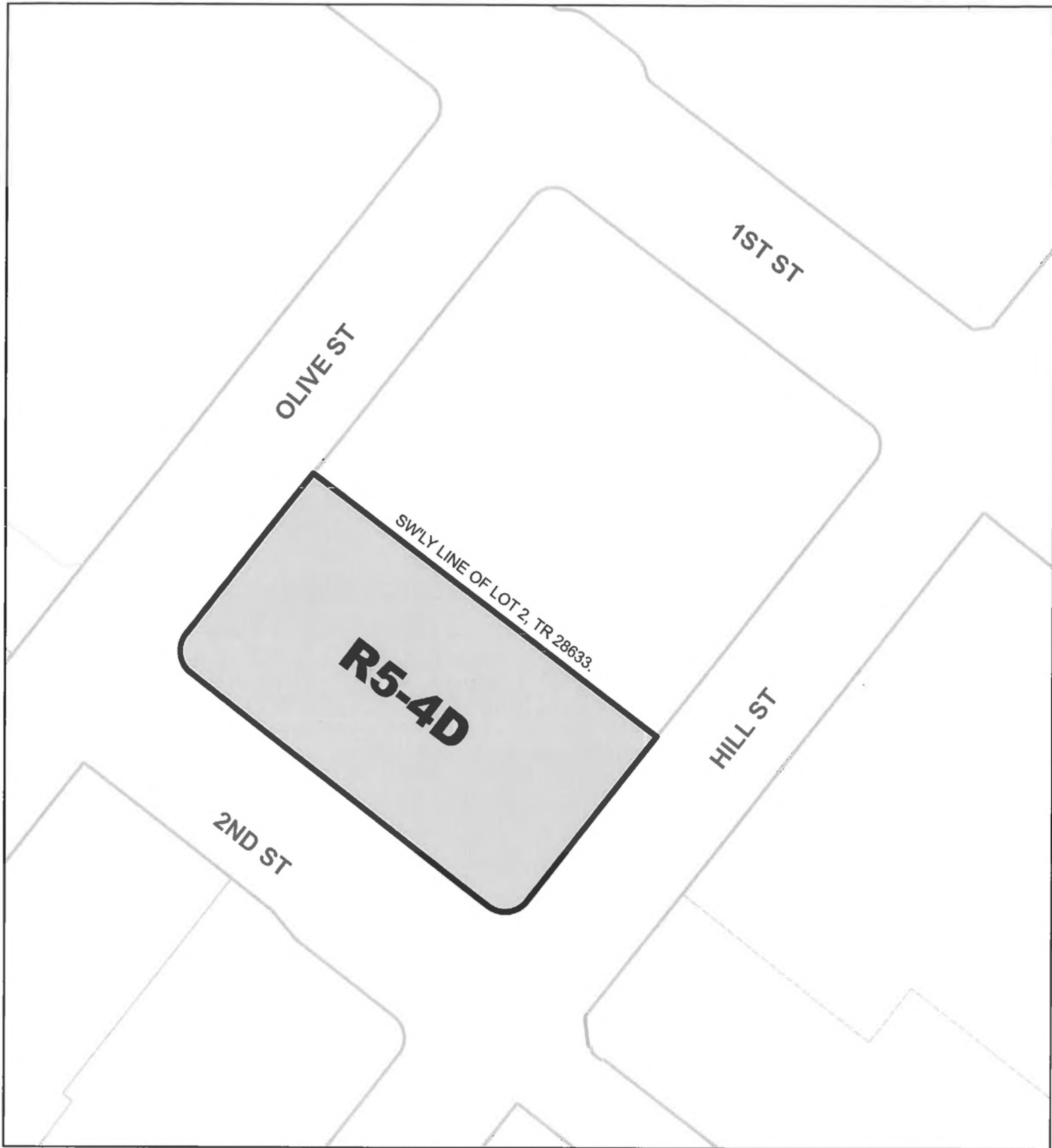
Based on the above findings, the corrected ordinance is deemed to be consistent with the public necessity, convenience, general welfare, and good planning, and zoning practice.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Ordinance No. 179,226 by amending the Zoning Map.

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

Section 1. Ordinance No. 179,226 is hereby amended by changing the zone shown upon a portion of the zone map attached thereto so that such portion of the Zoning map shall be as follows:



CPC-2006-9702-ZC-CU-CUB-ZV-DA

LH/ *fdl*

102717

City of Los Angeles



CENTRAL CITY

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

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L WOLCOTT, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

October 31, 2017  
See attached report



Vincent P. Bertoni  
Director of Planning

File No. CF-07-2306  
CPC-2006-9702-ZC-CUB-CUX-ZV-DA

RESOLUTION

**WHEREAS**, the subject parcel is located within the area covered by the Central City Community Plan that adopted by the City Council on January 8, 2003; and

**WHEREAS**, on June 26, 2007 the City Planning Commission recommended approval a Zone Change for a project that inadvertently included the subject parcel in the Zone Change Map for Ordinance No. 179,226; and

**WHEREAS**, the correction is to restore the subject parcel to the original zoning of R5-4D; and

**WHEREAS**, the subject correction is an administrative action and is exempt from California Environmental Quality Act (CEQA).