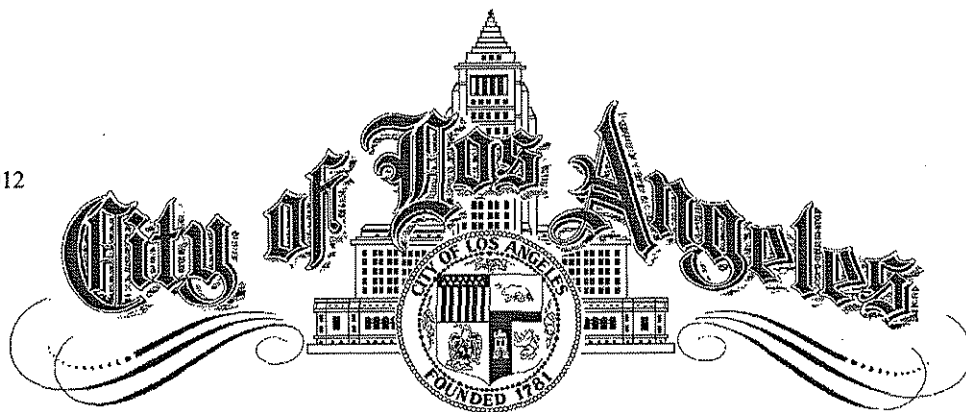


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**CARMEN A. TRUTANICH**  
City Attorney

**REPORT NO. R10-0061**

**MAR 6 4 2010**

**SUPPLEMENTAL REPORT RE:**

**PREVIOUSLY TRANSMITTED DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.17.1, 12.21, 12.24, 91.8501.3, 91.8502.1, 91.8502.9.1 AND 91.8502.9.2 AND DIVISION 85 OF ARTICLE 1 OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE RELATING TO JOINT LIVING AND WORK QUARTERS**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 09-1845  
CPC No. 2009-1771-CA

Honorable Members:

We previously transmitted to you for your consideration, approved as to form and legality, a draft ordinance amending Sections 12.03, 12.17.1, 12.21, 12.24, 91.8501.3, 91.8502.1, 91.8502.9.1 and 91.8502.9.2 of the Los Angeles Municipal Code relating to joint living and work quarters. (City Attorney Report No. R10-0052, dated February 24, 2010). The recently transmitted draft ordinance differs from the one transmitted to you on November 20, 2009, in that it allows the amount of space devoted to work use to be either at least 10 percent but less than 25 percent, or at least 25 percent but less than 50 percent. The recent transmittal, Report No. R10-0052, incorrectly stated that the ordinance was approved by the Director of Planning. In fact, the ordinance has been

**disapproved** by the Director of Planning on behalf of the City Planning Commission with a recommendation that it **not** be enacted. Accordingly, it requires a two-thirds vote to be adopted.

#### Charter Findings

As addressed in the Director of Planning's letter of February 11, 2010, the language contained in the draft ordinance as approved by PLUM is substantially different from the version of the ordinance previously approved by the City Planning Commission. Accordingly, pursuant to Charter Section 559, the Director of Planning has disapproved this draft of ordinance on behalf of the City Planning Commission and recommended that you not adopt it. Therefore, you can proceed to consider the ordinance as approved by PLUM and adopt it with a two-thirds vote.

Should you adopt this ordinance, you may comply with the provisions of Charter Section 558 by either adopting the findings of the Director of Planning as set forth in her letter dated February 11, 2010, or by making your own findings.

#### CEQA Finding

Regarding a finding pursuant to the California Environmental Quality Act (CEQA), the Department of Planning determined that the proposed ordinance is exempt from CEQA, pursuant to Article II, Section 2, Subsection (m) of the City's CEQA Guidelines in that the draft ordinance merely adjusts the ratio of residential and working space allowed in live/work units, but does not change the zoning where these units are allowed or their maximum density and therefore will not have a significant effect on the physical environment. If you concur, you must make this finding prior to or concurrent with your action on the ordinance.

#### Summary of Ordinance Provisions

The enactment of this draft ordinance would adjust the ratio of living and work space in joint living and work quarters to clarify that these units are primarily residential spaces with accessory commercial uses.


#### Council Rule 38 Referral

A copy of the final draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety. The Department reports that it has no comments.

If you have any questions regarding this matter, please contact Assistant City Attorney Sharon Siedorf Cardenas at (213) 978-8235. She or another member of this office will be present to answer any questions you may have when you consider this matter.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE/SSC:pj/zra