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October 6, 2009

~~Item #~~

Chair Ed Reyes
Vice-Chair Jose Huizar
Committee Member Dennis Zine
Planning and Land Use Management Committee
City Hall, Room 350
200 North Spring Street
Los Angeles, CA 90012

Date: 10-06-09
Submitted in PLUM Committee
Council File No: 09-2197
Item No.: ~~09-2197~~ 4
Deputy: Barbara Greaves

Re: CF 09-2197 (Pedestrian Emphasis Design)
Corrected Ordinance Text

Honorable Committee Members:

As a supplement to the materials transmitted to you from the City Planning Commission please find enclosed a corrected copy of the proposed ordinance. The proposed change from the City Planning Commission recommended text in that it corrects a typographical and a technical error in the drafting of the ordinance text. The Department of City Planning recommends the forwarding of the ordinance (as corrected) to the City Attorney for form and legality review.

Thank you for your time and consideration of this matter.

S. GAIL GOLDBERG, AICP
Director of Planning

Christopher Koontz
City Planner

An ordinance amending Section 12.21 of the Los Angeles Municipal Code to establish a PED Pedestrian Emphasis Design Designator to promote urban design principles and walkable communities that can serve multiple zones.

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

Section 1. Subsection H of Section 12.04 of the Los Angeles Municipal Code is amended to read:

Deleted: D

D. Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this chapter

- "O" Oil Drilling District
- "S" Animal Slaughtering
- "G" Surface Mining District
- "RPD" Residential Planned Development District
- "K" Equinekeeping District
- "CA" Commercial and Artcraft District
- "POD" Pedestrian Oriented District
- "CDO" Community Design Overlay District
- "MU" Mixed Use District
- "FH" Fence Height District
- "SN" Sign District
- "RFA" Residential Floor Area District
- "PED" Pedestrian Emphasis Design Designator

Subsection C.9 of Section 12.21 of the Los Angeles Municipal Code is added to read:

A. Application. The provisions of this chapter shall apply to Projects within all zones that contain the PED designator, except when these provisions conflict with the provisions of a Specific Plan, wherein the provisions of the specific plan shall prevail. Additionally, the provisions of Subsection 2 of Paragraph D shall not apply to Projects consisting of one hundred percent residential uses. For corner or other lots with multiple street frontages, design regulations delineated in Section D.1 and D.2 shall only apply to a single street frontage of a Project that is designated the Primary Frontage, unless otherwise indicated. Where the regulations contained within this section conflict with those contained within 12.22 A.23, the Pedestrian Emphasis Design regulations contained herein shall prevail

B. Definitions. For purposes of this section, the following words and phrases are defined:

Pedestrian Amenities. Pedestrian amenities include outdoor sidewalk cafes, public plazas, retail courtyards, water features, kiosks, paseos, arcades, patios, covered walkways, or spaces for outdoor dining or seating that are located at the ground level .

Project. The erection, construction, addition to, or exterior structural alteration of any building or structure. A project does not include any change of use, or construction that consists solely of (1) interior remodeling, interior rehabilitation or repair work; (2) alterations of, including structural repairs, or additions to, any existing building or structure in which the aggregate value of the work, in any one 24-month period, is less than 50 percent of the building or structure's replacement value before the alterations or additions, as determined by the Department of Building and Safety, unless the alterations or additions are to any building facade facing a public street.

Primary Lot Line shall be determined during the adoption of the Designator and shall be limited to one of the property lines adjacent to or abutting a public street. On lots with fronting more than one public street, the Director of Planning shall determine the Primary Lot Line.

Primary Frontage shall be the exterior building walls facing the Primary Lot Line. For the purposes of this provision, all exterior walls that intersect a plane parallel to a lot line at 45 degrees or less shall be considered to be facing the Primary Frontage. When the Primary Lot Line is not straight, a line connecting the points where the secondary or side lot lines and the primary lot line intersect shall be used.

C. Prohibition. No building permit shall be issued for any project located in whole or in part within a legal parcel with a PED Pedestrian Emphasis Design Designator that does not comply with the regulations or intent specified under Section D - Development Regulations.

D. Development Regulations. Wherever this PED Designator contains provisions more restrictive than those contained in L.A.M.C. Chapter 1, the regulations stipulated within the PED Pedestrian Emphasis Design Designator shall prevail and supersede the other applicable provisions.

1. Building Location.

- (a) Each Project shall have a ground floor, as defined in L.A.M.C. Section 12.03.
- (b) Structures shall be designed and sited so that the Primary Frontage occupies 100 percent of the length of a Primary Lot Line abutting a public street, exclusive of required driveways per Subdivision 5 and of walkways as outlined in this section. One walkway, not to exceed 10' in width each, shall be permitted for every 200 linear feet of frontage.

- (c) The ground floor of any exterior building wall (façade), up to a height of not less than 12 feet, measured from adjacent sidewalk grade, must be located within 5 feet of the primary lot line for the entire length of the Primary Frontage. However, buildings may be set back from the primary lot line more than the maximum 5 feet when the Primary Frontage is used for Pedestrian Amenities, as defined in this Section.

2. Transparency.

- (a) A minimum of 50% of the exterior wall of the Primary Frontage building wall, which is comprised of the area between 2 feet to 8 feet above sidewalk grade, must be comprised of clear, untinted, unfrosted, non-reflective windows to allow maximum visibility from sidewalk areas into the interior of commercial uses.
- (b) The above regulations shall not apply to projects containing 100 percent residential uses.

3. Pedestrian Access.

- (a) A primary building entrance to each ground floor use shall be located within the Primary Frontage or pedestrian amenity space and shall provide direct access from the sidewalk without crossing a parking lot or driveway. Entrances shall be no more than 3 feet above or below the adjacent sidewalk grade.
- (b) Street-oriented entrance(s) along the Primary Frontage shall remain open during normal business hours.

4. Parking.

- (a) No surface or above-grade parking shall be allowed between the building and any street. Surface parking shall be located at the rear of buildings on the site. Parking can also be enclosed within a structure, or entirely below grade. Below grade parking structures can occupy the entire footprint of a lot.

5. Driveways and Vehicular Access. Vehicular access to off-street parking and loading areas shall be provided from any frontages other than the Primary Frontage, unless determined infeasible by the Director of Planning, in consultation with the Department of Transportation. Each driveway shall not exceed 30 feet in width. Multiple driveways located on the same project shall be a minimum of 200 feet apart from each other.

General Plan/Charter Findings

In accordance with Charter Section 556, that the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan. This ordinance will ensure the development and preservation of commercial uses, which is in keeping with the goal of encouraging new retail and commercial development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts, as stated in the General Plan Framework; and

In accordance with Charter Section 558 (b)(2), that the proposed ordinance (Appendix A) will have no adverse effect upon the General Plan, specific plans, or any other plans being created by the Department of City Planning because the proposed ordinance is consistent with the General Plan and carries out the General Plan goals, policies and objectives discussed above. There will be no substantive changes made to the existing LAMC and no instances of the tool will be implemented as part of this action; therefore there will be no effects on any above-referenced plan; and

In accordance with Charter Section 558 (b)(2), that the proposed ordinance (Appendix A) will be in conformity with the public necessity, convenience, general welfare and good zoning practice. This ordinance will provide additional opportunities for the development of mixed-use buildings and will encourage maintenance of commercial areas, as well as encourage the provision of goods and services in close proximity to residences and workplaces.