

TRANSMITTAL TO CITY COUNCIL

Case No.(s)	Planning Staff Name(s) and Contact No.	C.D. No.
CPC-2009-439-CA (RELATED TO CPC-09-437 & CA, CPC-09-441-CA)	JON TANURY 213-978-1214	ALL
Items Appealable to Council:	Last Day to Appeal:	Appealed:
N/A	N/A	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Location of Project (Include project titles, if any.)		
CITYWIDE		
Name(s), Applicant / Representative, Address, and Phone Number.		
CITY OF LOS ANGELES		
Name(s), Appellant / Representative, Address, and Phone Number.		
N/A		
Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description <u>only</u> those items which are appealable to Council.)		
<p>A proposed ordinance for the creation of a Ground Floor Commercial (GFC) zoning tool that will prohibit 100% residential uses on the ground floor, thereby ensuring that targeted parcels retain a commercial component.</p>		
Fiscal Impact Statement <small>*Determination states administrative costs are recovered through fees.</small>	Environmental No.	Commission Vote:
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	ENV-2009-440-ND	5-0

 JAMES WILLIAMS, Commission Executive Assistant I	Date: <u>SEP 03 2009</u>
--	--------------------------

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

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SEP 03 2009

Planning and Land Use Management Committee
Council of the City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

ATTN: Barbara Greaves, Legislative Assistant

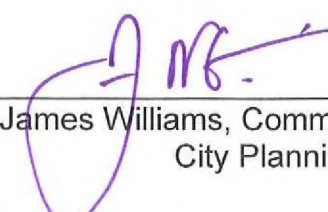
CITY PLAN CASE NO. 2009-439-CA

Transmitted herewith is a proposed ordinance for the creation of a Ground Floor Commercial (GFC) zoning tool that will prohibit 100% residential uses on the ground floor, thereby ensuring that targeted parcels retain a commercial component.

On May 28, 2009, following a public hearing, the City Planning Commission approved the attached Findings of City Planning Staff and approved the proposed ordinance.

This action was taken by the following vote:

Moved: Roschen
Seconded: Burton
Ayes: Freer, Montanez, Woo
Absent: Cardoso, Hughes, Kezios
Vacant: One
Vote: 5-0


James Williams, Commission Executive Assistant I
City Planning Commission

Attachments: Findings, Proposed Ordinance

cc: Jeri Burge, Deputy City Attorney, Land Use Division

FINDINGS

Findings under Charter Section 558

Los Angeles City Charter Section 558 requires that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare and good zoning practice. The establishment of the Ground Floor Commercial zoning tool conforms to public necessity, convenience, general welfare and good zoning practice in the following respects:

General Plan Framework Objective 3.1: *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors*

Because it does not prohibit residential uses in commercial areas, the GFC tool accommodates a diversity of uses; if a residential project is proposed for development in a GFC-designated area, it will only need to diversify and provide a baseline amount of commercial space in order to comply with the regulation. The tool does not greatly alter the uses already permitted or prohibited by the existing, underlying zone. Through its minimum area requirement for commercial uses, the GFC tool accommodates the needs of residents, businesses and visitors by providing commercial goods and services within a reasonable distance of other uses.

General Plan Framework Objective 3.2: *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution*

By accommodating a diversity of uses in targeted commercial nodes, the GFC tool has the potential to reduce both vehicle trips and vehicle miles traveled because people enjoying the uses immediately surrounding a GFC-designated area will not have to travel far to obtain commercial goods and services.

General Plan Framework Objective 3.4: *Encourage new multi-family residential, retail commercial, and office 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.*

The GFC designator is a tool designed to allow the conservation of existing commercial districts and nodes; through its use, commercial uses will be maintained in targeted commercially zoned areas. The intent of the tool is to require that commercial uses are developed in areas planned for commercial uses, not to drastically alter existing development regulations or patterns.

General Plan Framework Objective 3.12: *Generally, maintain the uses, density, and character of existing low-intensity commercial districts whose functions serve surrounding neighborhoods and/or are precluded from intensification due to their physical characteristics*

The GFC tool will protect commercial uses in existing commercial centers by requiring each structure where the tool is implemented to have a commercial use in its ground floor. Entirely residential projects are currently permitted in commercial zones; the tool will allow tailoring of these zones to prevent development of 100% residential uses in the areas where it is applied.

CEQA Findings

A Negative Declaration (ENV-2009-440-ND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

GROUND FLOOR COMMERCIAL DRAFT ORDINANCE
CPC-2009-439-CA

ORDINANCE NO. _____

An ordinance adding Subsection G to Section 12.04 of the Los Angeles Municipal Code to enable a "GFC" Ground Floor Commercial designator, and amending Sections 12.10.5, 12.11.5, 12.12.2, 12.13, 12.13.5, 12.14, 12.16, 12.17, 12.17.1, and 12.22 to specify "GFC" Ground Floor Commercial designator regulations by Zone, including requiring the ground level street frontage of buildings to contain commercial uses, and amending Sections 12.32 to make technical changes.

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

Enabling the Ground Floor Commercial Designator in the Zoning Code:

Section 1. Subsection G of Section 12.04 of the Los Angeles Municipal Code is added to read:

G. In order to more adequately regulate the location of commercial uses and implement the General Plan by requiring that ground floor building frontage in specific locations contain commercial uses so that goods and services can be provided for within close proximity to residences and workplaces, certain portions of the city classified in the RAS3, RAS4, R5, and C Zones are also designated as being in a "GFC" Ground Floor Commercial Area. The boundaries of said Ground Floor Commercial Areas are shown by the use of the symbol "GFC" in conjunction with the applicable Zone symbols on portions of the "Zoning Map," and can be applied in combination with other overlays and suffixes, e.g. C41-CDO-GFC.

Applying the Designator to the CR Zone:

Sec. 2. Subsection A of Section 12.12.2 of the Los Angeles Municipal Code is amended to read:

A. No building structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1-3, 5-9 [incidental parking uses shall be prohibited], 12, and 13 below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the C1 Zone:

Sec. 3. Subsection A of Section 12.13 of the Los Angeles Municipal Code is amended to read:

A. No building structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1, 1.5, 2(a)(1)-2(a26) [incidental parking uses shall be prohibited], and 2(a)(28) below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the C1.5 Zone:

Sec. 4. Subsection A of Section 12.13.5 of the Los Angeles Municipal Code is amended to read:

A. No building structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1-4, 6-8 [incidental parking uses shall be prohibited], 10 and 11 below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the C2 Zone:

Sec. 5. Subsection A of Section 12.14 of the Los Angeles Municipal Code is amended to read:

A. No building structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1-23, 25-42 [incidental parking uses shall be prohibited], and 45 below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the C4 Zone:

Sec. 6. Subsection A of Section 12.16 of the Los Angeles Municipal Code is amended to read:

A. No building structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1 and

2 below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the C5 Zone:

Sec. 7. Subsection A of Section 12.17 of the Los Angeles Municipal Code is amended to read:

A. No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1, 2 and 3 below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the CM Zone:

Sec. 8. Subsection A of Section 12.17.1 of the Los Angeles Municipal Code is amended to read:

A. No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein, and, when a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivision 1 and 4 [incidental parking uses shall be prohibited] below, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the RAS3 Zone:

Sec. 9. Subsection A of Section 12.10.5 of the Los Angeles Municipal Code is amended to read:

4. When a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 2(a)-2(ee) [incidental parking uses shall be prohibited], and 3 above, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the RAS4 Zone:

Sec. 10. Subsection A of Section 12.11.5 of the Los Angeles Municipal Code is amended to read:

4. When a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be further restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 2(a)-2(ee) [incidental parking uses shall be prohibited], and 3 above, for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Applying the Designator to the R5 Zone:

Sec. 11. Subdivision 18 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

18. Developments Combining Residential and Commercial Uses. Except where the provisions of Section 12.24.1 of this Code apply, notwithstanding any other provision of this chapter to the contrary, the following uses shall be permitted in the following zones subject to the following limitations:

(a) Any use permitted in the R5 Zone on any lot in the CR, C1, C1.5, C2, C4, or C5 Zones provided that such lot is located within an area designated on an adopted community plan as "Regional Center", "Regional Commercial" or "High Intensity Commercial" or within any redevelopment project area approved by the City Council within the Central City Community Plan Area. Any combination of R5 uses and the uses permitted in the underlying commercial zone shall also be permitted on such lot, except where a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the limited uses allowed by a GFC Ground Floor Commercial designator for each commercial zone [incidental parking uses shall be prohibited], for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

(b) Any use permitted in the CR, C1, C1.5, C2, C4, or C5 Zones on any lot in the R5 Zone provided that the lot is located within the Central City Community Plan Area. Any combination of these commercial and residential uses shall also be permitted on the lot, except where a GFC Ground Floor Commercial designator is attached to the Zone, pursuant to Section 12.04 G, permitted uses shall be restricted as follows:

The ground floor of any building or structure, excluding area used for pedestrian and vehicular access, shall be restricted to only the commercial uses enumerated in Subdivisions 1-23, 25-42, and 45 of Subsection A of Section 12.14 of this Code [incidental parking uses shall be prohibited], for a minimum of 75 percent of the length of any building exterior building wall facing a public street to a minimum depth of 25 feet, or the total depth of the building, whichever is less.

Commercial uses or any combination of commercial and residential use may be permitted on any lot in the R5 Zone by conditional use pursuant to Section 12.24W15 in other redevelopment project areas approved by the City Council.

Establishing Procedures for Changing a Designator:

Sec. 12. Subsection F of Section 12.32 of the Los Angeles Municipal Code is amended to read:

F. Zone Changes, Height District Changes, and Designator Changes.

The procedures for changes of zoning, height districts, or designators shall be as set forth in Subsections A through D, with the following additional regulations:

1. In the consideration of an application for a proposed land use ordinance involving a change of zone, the Planning Commission may approve or disapprove a change upon all or only a part of the subject area. The Planning Commission may recommend a change to any zone between that existing on the property and that requested in the application, as determined by the Planning Commission, or may recommend, on all or a portion of the property, a change to a P or PB Zone, or may recommend that an M Zone be changed to an MR Zone. The Planning Commission may, without additional notice or hearing, recommend minor additions to the area proposed for rezoning or slight adjustments of proposed zone boundaries within that area, when the Planning Commission determines that the public necessity, convenience, general welfare or good zoning practice so require.

2. Where the City initiates changes of zone or height districts pursuant to California Government Code Section 65860(d) to a significant number of lots, publication in two newspapers of general circulation designated by the City Clerk for official advertising in the area involved, not less than ten days prior to the date of the public hearing, giving notice of its time, place and purpose shall be sufficient notice of the hearing, and the mailing of individual notices shall not be required.

Section 13. 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 located 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, by a vote of not less than three-fourths of all of its members, at its meeting of _____

JUNE LAGMAY, City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

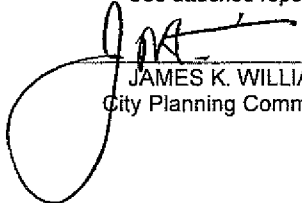
Pursuant to Charter Section 559, I **approve** this ordinance on behalf of the City Planning Commission and recommend that it be adopted
.....

By _____
City Attorney

May 28, 2009

Date _____

See attached report



JAMES K. WILLIAMS
City Planning Commission

File No(s). _____



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: Thursday May 28th, 2009
Time: 8:30 AM*
Place: Van Nuys City Hall
Council Chamber, 2nd Floor
14410 Sylvan St.
Los Angeles, CA 91401

Case No.: CPC-2009-439-CA
CEQA No.: ENV-2009-440-ND
Incidental Cases: N/A
Related Cases: CPC-2009-437-CA
CPC-2009-441-CA
Council No.: All
Plan Area: All
Specific Plan: N/A
Certified NC: All
GPLU: N/A
Zone: N/A

Public Hearing: Required
Appeal Status: N/A
Expiration Date: N/A
Multiple Approval: N/A

Applicant: City Of Los Angeles

PROJECT LOCATION: N/A

PROPOSED PROJECT: No project is proposed. The request involves the creation of a Ground Floor Commercial (GFC) zoning tool that will prohibit 100% residential uses on the ground floor, thereby ensuring that targeted parcels retain a commercial component. The GFC tool reinforces and promotes street level commercial uses at strategic locations/nodes along corridors, in order to ensure that neighborhood needs are met as the intensity of development increases. Only the creation of the tool, not its implementation, is being requested.

REQUESTED ACTION:

- Add Subsection G to Section 12.04 of the Los Angeles Municipal Code (LAMC) to enable a "GFC" Ground Floor Commercial designator, and amend Sections 12.10.5, 12.11.5, 12.12.2, 12.13, 12.13.5, 12.14, 12.16, 12.17, 12.17.1, and 12.22 to specify "GFC" Ground Floor Commercial designator regulations by zone, including requiring the ground level street frontage of buildings to contain commercial uses, and amend Sections 12.32 to make technical changes. No zone changes to specific properties are part of the requested action; all future zone changes related to the GFC tool will go through their own public process.
- Adopt the CEQA review, Negative Declaration ENV-2009-440-ND, prepared for this action, determining that no significant impacts to the environment exist and adopt the associated environmental findings.

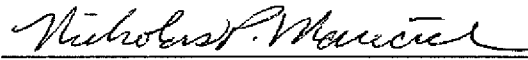
RECOMMENDED ACTIONS:

1. **Approve and recommend** that the City Council Adopt the requested ordinance, subject to the review of the City Attorney as to form and legality, attached as Appendix A.
2. **Adopt** the attached findings, including the related environmental finding that the Negative Declaration prepared for this action, ENV-2009-440-ND, is adequate environmental clearance for the subject request.

S. GAIL GOLDBERG, AICP
Director of Planning



Kevin J. Keller, Senior City Planner



Nick Maricich, City Planning Associate



Jon Tanury, City Planning Assistant
Telephone: (213) 978-1214

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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Exhibit B – Environmental Clearance

Exhibit C – Prohibited Uses

the GFC tool in these and other areas could be studied in the future as a mechanism to invest in uses the community wishes to maintain.

The proposed ordinance amends the LAMC in order to allow the use of the GFC tool; it does not implement it. It is anticipated that this new zoning tool will most likely be initiated through future neighborhood-level studies or as part of community plan updates. The new zoning designator is intended to modify a pattern of development in order to maintain and encourage commercial uses along these streets, in part as an effort to preserve pedestrian activity and give residents the ability to have neighborhood-oriented businesses within walking distance. Once the proposed enabling ordinance is adopted into the LAMC, neighborhoods and communities will be studied to decide where commercial uses are most needed, and the GFC tool could then be implemented through a public process to achieve its goals.

Conclusion

The GFC tool is intended to be implemented as part of the Community Plan update effort and after careful evaluation of zoning needs in a given district. Staff has considered the need for maximum flexibility in new zoning tools, allowing individual plans and communities to customize the geographic application of the tool to suit neighborhood-specific needs. Staff anticipates that, as proposed, the GFC could be used in many traditional and planned commercial corridors because it can simply address the uses required on a property, without overriding underlying development regulations. Furthermore, the GFC could be used in conjunction with other zoning tools such as Community Design Overlays or the proposed Pedestrian Emphasis Design tool (CPC-2009-441-CA) to provide supplemental regulations, which, for example, could combine use requirements with design guidelines to create a pedestrian friendly, aesthetically pleasing neighborhood.

FINDINGS

Findings under Charter Section 558

Los Angeles City Charter Section 558 requires that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare and good zoning practice. The establishment of the Ground Floor Commercial zoning tool conforms to public necessity, convenience, general welfare and good zoning practice in the following respects:

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Because it does not prohibit residential uses in commercial areas, the GFC tool accommodates a diversity of uses; if a residential project is proposed for development in a GFC-designated area, it will only need to diversify and provide a baseline amount of commercial space in order to comply with the regulation. The tool does not greatly alter the uses already permitted or prohibited by the existing, underlying zone. Through its minimum area requirement for commercial uses, the GFC tool accommodates the needs of residents, businesses and visitors by providing commercial goods and services within a reasonable distance of other uses.

General Plan Framework Objective 3.2: *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

By accommodating a diversity of uses in targeted commercial nodes, the GFC tool has the potential to reduce both vehicle trips and vehicle miles traveled because people enjoying the uses immediately surrounding a GFC-designated area will not have to travel far to obtain commercial goods and services.

General Plan Framework Objective 3.4: *Encourage new multi-family residential, retail commercial, and office 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.*

The GFC designator is a tool designed to allow the conservation of existing commercial districts and nodes; through its use, commercial uses will be maintained in targeted commercially zoned areas. The intent of the tool is to require that commercial uses are developed in areas planned for commercial uses, not to drastically alter existing development regulations or patterns.

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The GFC tool will protect commercial uses in existing commercial centers by requiring each structure where the tool is implemented to have a commercial use in its ground floor. Entirely residential projects are currently permitted in commercial zones; the tool will allow tailoring of these zones to prevent development of 100% residential uses in the areas where it is applied.

CEQA Findings

A Negative Declaration (ENV-2009-440-ND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

PUBLIC COMMUNICATIONS

A public workshop on this matter was conducted on March 19, 2009 from 5:00 - 7:00 PM at City Hall. The workshop was attended by approximately 45 members of the public including Certified Neighborhood Council representatives, members of the development community, as well as several representatives from other City departments. Staff answered questions and received general comments in support of the proposed ordinance during the meeting. A Public Hearing on this matter will be held at the City Planning Commission meeting on May 28th, 2009.

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
 NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles	COUNCIL DISTRICT CITYW
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PROJECT TITLE ENV-2009-440-ND	CASE NO. CPC-2009-439-CA
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PROJECT LOCATION
N/A N/A

PROJECT DESCRIPTION
 AN ORDINANCE AMENDING THE LOS ANGELES MUNICIPAL CODE TO ENABLE ADDITIONAL OR MODIFIED DEVELOPMENT REGULATIONS TO BE APPLIED TO LOTS ON THE ZONING MAP IN THE FORM OF ZONING DESIGNATORS TO ENABLE A GROUND FLOOR COMMERCIAL DESIGNATOR, AND AMENDING SECTIONS OF THE MUNICIPAL CODE TO SPECIFY GROUND FLOOR COMMERCIAL DESIGNATOR REGULATIONS, INCLUDING REQUIRING THE GROUND LEVEL STREET FRONTAGE OF BUILDINGS TO CONTAIN COMMERCIAL USES. NO PROJECT IS PROPOSED AT THIS TIME. INDIVIDUAL GROUND FLOOR COMMERCIAL AREAS WILL BE ADDED BY ORDINANCE TO IMPLEMENT THE COMMUNITY PLAN. THE GROUND FLOOR COMMERCIAL FUNCTIONS BY PROVIDING DETAIL ZONING, DESIGN AND OTHER RESTRICTION TO SPECIFIC PARCELS.

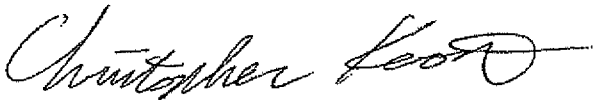
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
 City of Los Angeles
 200 North Sping, Suite 621
 Los Angeles, CA 90012

FINDING:
 The City Planning Department of the City of Los Angeles has Proposed that a negative declaration be adopted for this project. The Initial Study indicates that no significant impacts are apparent which might result from this project's implementation. This action is based on the project description above.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt this negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	TITLE	TELEPHONE NUMBER
CHRIS KOONTZ	City Planner	(213) 978-1193

ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 	DATE 7/2/09
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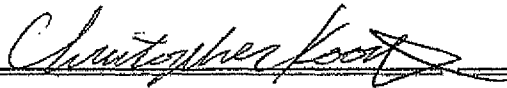
CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles		COUNCIL DISTRICT: CITYW	DATE:
RESPONSIBLE AGENCIES: Department of City Planning			
ENVIRONMENTAL CASE: ENV-2009-440-ND		RELATED CASES: CPC-2009-439-CA	
PREVIOUS ACTIONS CASE NO.:		<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: GROUND FLOOR COMMERCIAL			
ENV PROJECT DESCRIPTION: AN ORDINANCE AMENDING THE LOS ANGELES MUNICIPAL CODE TO ENABLE ADDITIONAL OR MODIFIED DEVELOPMENT REGULATIONS TO BE APPLIED TO LOTS ON THE ZONING MAP IN THE FORM OF ZONING DESIGNATORS TO ENABLE A GROUND FLOOR COMMERCIAL DESIGNATOR, AND AMENDING SECTIONS OF THE MUNICIPAL CODE TO SPECIFY GROUND FLOOR COMMERCIAL DESIGNATOR REGULATIONS, INCLUDING REQUIRING THE GROUND LEVEL STREET FRONTAGE OF BUILDINGS TO CONTAIN COMMERCIAL USES. NO PROJECT IS PROPOSED AT THIS TIME. INDIVIDUAL GROUND FLOOR COMMERCIAL AREAS WILL BE ADDED BY ORDINANCE TO IMPLEMENT THE COMMUNITY PLAN. THE GROUND FLOOR COMMERCIAL FUNCTIONS BY PROVIDING DETAIL ZONING, DESIGN AND OTHER RESTRICTION TO SPECIFIC PARCELS.			
ENVIRONMENTAL SETTINGS: This ordinance will apply citywide in that it alters the citywide Municipal Code through creation of enabling legislation. Individual Ground Floor Commercial areas may be added in the future by ordinance with accompanying environmental review specific to their individual proposals and environmental setting. No change in regulations or creation of designated parcels is proposed at this time.			
PROJECT LOCATION: N/A N/A			
COMMUNITY PLAN AREA: CITYWIDE STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan		AREA PLANNING COMMISSION: CITYWIDE	CERTIFIED NEIGHBORHOOD COUNCIL: CITYWIDE
EXISTING ZONING: All		MAX. DENSITY/INTENSITY ALLOWED BY ZONING: Not Applicable - No Change	
GENERAL PLAN LAND USE: All		MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: Not Applicable - No Change	
		PROPOSED PROJECT DENSITY: Not Applicable - No change	
		LA River Adjacent: NO	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

City Planner

Title

(213) 978-1193

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> AESTHETICS <input type="checkbox"/> AGRICULTURAL RESOURCES <input type="checkbox"/> AIR QUALITY <input type="checkbox"/> BIOLOGICAL RESOURCES <input type="checkbox"/> CULTURAL RESOURCES <input type="checkbox"/> GEOLOGY AND SOILS	<input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS <input type="checkbox"/> HYDROLOGY AND WATER QUALITY <input type="checkbox"/> LAND USE AND PLANNING <input type="checkbox"/> MINERAL RESOURCES <input type="checkbox"/> NOISE <input type="checkbox"/> POPULATION AND HOUSING	<input type="checkbox"/> PUBLIC SERVICES <input type="checkbox"/> RECREATION <input type="checkbox"/> TRANSPORTATION/CIRCULATION <input type="checkbox"/> UTILITIES <input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
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INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:
City of Los Angeles

APPLICANT ADDRESS:
200 North Sping, Suite 621
Los Angeles, CA 90012

AGENCY REQUIRING CHECKLIST:
Department of City Planning

PROPOSAL NAME (if Applicable):
Ground Floor Commercial (GF)

PHONE NUMBER:
(213) 978-1193

DATE SUBMITTED:
02/11/2009

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?			✓
b.	SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?			✓
c.	SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?			✓
d.	CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?			✓
II. AGRICULTURAL RESOURCES				
a.	CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?			✓
b.	CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?			✓
c.	INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?			✓
III. AIR QUALITY				
a.	CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?			✓
b.	VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?			✓
c.	RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?			✓
d.	EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?			✓
e.	CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?			✓
IV. BIOLOGICAL RESOURCES				
a.	HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
b.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?			✓
c.	HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?			✓
d.	INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?			✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?				✓
f.	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				✓
V. CULTURAL RESOURCES					
a.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?				✓
b.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?				✓
c.	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?				✓
d.	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?				✓
VI. GEOLOGY AND SOILS					
a.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.				✓
b.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?				✓
c.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?				✓
d.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?				✓
e.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?				✓
f.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?				✓
g.	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?				✓
h.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?				✓
VII. HAZARDS AND HAZARDOUS MATERIALS					
a.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?				✓
b.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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c.	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?				✓
d.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?				✓
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				✓
g.	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?				✓
h.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?				✓
VIII. HYDROLOGY AND WATER QUALITY					
a.	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?				✓
b.	SUBSTANTIALLY DEplete GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?				✓
c.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?				✓
d.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN AN MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?				✓
e.	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?				✓
f.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?				✓
g.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?				✓
h.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?				✓
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?				✓
j.	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?				✓
IX. LAND USE AND PLANNING					
a.	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?				✓
c.	CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				✓
X. MINERAL RESOURCES					
a.	RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				✓
b.	RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				✓
XI. NOISE					
a.	EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?				✓
b.	EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?				✓
c.	A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?				✓
d.	A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?				✓
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
XII. POPULATION AND HOUSING					
a.	INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?				✓
b.	DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
c.	DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
XIII. PUBLIC SERVICES					
a.	FIRE PROTECTION?				✓
b.	POLICE PROTECTION?				✓
c.	SCHOOLS?				✓
d.	PARKS?				✓
e.	OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?				✓
XIV. RECREATION					

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?				✓
b.	DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?				✓
XV. TRANSPORTATION/CIRCULATION					
a.	CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?				✓
b.	EXCEED, EITHER INDIVIDUALLY OR CUMULATIVELY, A LEVEL OF SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?				✓
c.	RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				✓
d.	SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?				✓
e.	RESULT IN INADEQUATE EMERGENCY ACCESS?				✓
f.	RESULT IN INADEQUATE PARKING CAPACITY?				✓
g.	CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?				✓
XVI. UTILITIES					
a.	EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?				✓
b.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				✓
c.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				✓
d.	HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?				✓
e.	RESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS				✓
f.	BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?				✓
g.	COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?				✓
XVII. MANDATORY FINDINGS OF SIGNIFICANCE					
a.	DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?					
b.	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).				✓
c.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?				✓

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description will not cause potentially significant impacts on the environment. Therefore, this environmental analysis concludes that a Negative Declaration shall be issued for the environmental case file known as **ENV-2009-440-ND** and the associated case(s), **CPC-2009-439-CA**.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/> Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
CHRIS KOONTZ	City Planner	(213) 978-1193	03/02/2009

Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS		
a.	NO IMPACT	The proposed code amendment will enable parcel specific designator of Ground Floor Commercial. This designation would require commercial uses within any building in the zone designated Ground Floor Commercial. The proposal under review includes only enabling legislation for the Municipal Code. No change in regulations for any specific parcel is proposed at this time. Specific Ground Floor Commercial areas may be enacted in the future by ordinance and are subject to CEQA review as a legislative discretionary project.
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
II. AGRICULTURAL RESOURCES		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
III. AIR QUALITY		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
IV. BIOLOGICAL RESOURCES		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
V. CULTURAL RESOURCES		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
VI. GEOLOGY AND SOILS		
a.	NO IMPACT	

Impact?	Explanation	Mitigation Measures
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
g.	NO IMPACT	
h.	NO IMPACT	
VII. HAZARDS AND HAZARDOUS MATERIALS		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
g.	NO IMPACT	
h.	NO IMPACT	
VIII. HYDROLOGY AND WATER QUALITY		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
g.	NO IMPACT	
h.	NO IMPACT	
i.	NO IMPACT	
j.	NO IMPACT	
IX. LAND USE AND PLANNING		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
X. MINERAL RESOURCES		
a.	NO IMPACT	
b.	NO IMPACT	
XI. NOISE		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
XII. POPULATION AND HOUSING		
a.	NO IMPACT	

Impact?	Explanation	Mitigation Measures
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b.	NO IMPACT		
c.	NO IMPACT		

XIII. PUBLIC SERVICES

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		

XIV. RECREATION

a.	NO IMPACT		
b.	NO IMPACT		

XV. TRANSPORTATION/CIRCULATION

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		
g.	NO IMPACT		

XVI. UTILITIES

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		
g.	NO IMPACT		

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		

The proposed project is a discretionary legislative action subject to CEQA under Public Resources Code §21080. The proposed project involves an amendment to the Los Angeles Municipal Code to allow for the creation of Ground Floor Commercial zones. The scope of the proposal and the accompanying environmental document relates to the enabling language only. No new regulations and no impact on any real property is proposed, contemplated or analyzed.

If the City of Los Angeles seeks to enact the Ground Floor Commercial designator over specific parcels of land a specific ordinance would be required. Said adoption of ordinance would trigger new environmental review under §21080 and thus any individual Ground Floor Commercial designations will be evaluated based on their specific proposals and their individual environmental settings.

The same response to each and every question in the attached initial study and checklist is warranted. This response is as follows:

The proposed code amendment will enable parcel specific designator of Ground Floor Commercial. This designation would require commercial uses within any building in the zone designated Ground Floor Commercial. The proposal under review includes only enabling legislation for the Municipal Code. No change in regulations for any specific parcel is proposed at this time. Specific Ground Floor Commercial areas may be enacted in the future by ordinance and are subject to CEQA review as a legislative discretionary project.

Based upon all the evidence in the record, the proposed Ground Floor Commercial enabling legislation project will have a less than significant impact on the environment and the negative declaration is proper.

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The same response to each and every question in the attached initial study and checklist is warranted. This response is as follows:

The proposed code amendment will enable parcel specific designator of Ground Floor Commercial. This designation would require commercial uses within any building in the zone designated Ground Floor Commercial. The proposal under review includes only enabling legislation for the Municipal Code. No change in regulations for any specific parcel is proposed at this time. Specific Ground Floor Commercial areas may be enacted in the future by ordinance and are subject to CEQA review as a legislative discretionary project.

Based upon all the evidence in the record, the proposed Ground Floor Commercial enabling legislation project will have a less than significant impact on the environment and the negative declaration is proper.

DETERMINATION LETTER
CPC-2009-439-CA
MAILING DATE: 09/03/09

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