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March 14, 2018

The Honorable Michael Feuer  
City Attorney  
City Hall East, 7<sup>th</sup> Floor  
200 North Main Street  
Los Angeles, CA 90012-4131

Attention: Oscar Medellin, Deputy City Attorney

Dear Mr. Feuer:

**FARMERS' MARKETS CODE AMENDMENT [CF 10-1832]**

The proposed Farmers' Market Code Amendment transmitted by your Office amends the Los Angeles Municipal Code to modify the regulations concerning the discretionary approval of Certified Farmers' Markets in Residential (R) zones and to permit by right operation of Certified Farmers' Markets in the Agricultural (A), Commercial (C), Manufacturing (M) and Parking (P) zones. The language contained in this draft ordinance differs from that approved by the City Planning Commission on October 6, 2011, such that the Director of Planning cannot approve the proposed ordinance on behalf of the Commission [City Charter § 559]. However, the findings approved by the City Planning Commission still support the proposed ordinance.

**ENVIRONMENTAL IMPACT**

Negative Declaration ENV-2011-1331-ND was prepared to assess any potential impacts on the physical environment and published June 16, 2011. A revised Negative Declaration, ENV-2011-1331-ND-REC1, was also prepared to further assess any potential impacts of the proposed regulations and published December 22, 2016. Additionally, Categorical Exemption ENV-2017-3019-CE was prepared on September 28, 2017 to further support the analysis. The Negative Declaration, revised Negative Declaration, and Categorical Exemption reflect the lead agency's independent judgment and analysis. On the basis of the whole of the record before the lead agency, including the environmental documents referenced above, and all comments received, the lead agency finds, pursuant to CEQA Guidelines Section 15074(b), there is no substantial evidence that the project will have a significant effect on the environment. Further, Categorical Exemption ENV-2017-3019-CE, found the Project to be exempt from CEQA under State CEQA Guidelines Class 3, Class 4, Class 11 and Class 32 Categorical Exemptions, as well as Class 4, subsection 6, of the City's CEQA Guidelines.

## **FINDINGS**

1. In accordance with Charter Section 556, that the proposed ordinance (see attachment) is in substantial conformance with the purposes, intent, and provisions of the General Plan. Specifically, the proposed ordinance implements Economic Development Policy 7.2.4, "Ensure that the City has enough capacity to accommodate the development of general commercial uses which support community needs in all parts of Los Angeles.", and Policy 7.3.2, "Retain existing neighborhood commercial activities within walking distance of residential areas." It also helps implement Goal 2 of the Air Quality Element, "Less reliance on single-occupant vehicles with fewer commute and non-work trips.", and Objective 3.2 of the Air Quality Element, "It is the objective of the City of Los Angeles to reduce vehicular traffic during peak periods."

The proposed ordinance increases the capacity for the citywide community need for fresh produce at farmers' markets and local restaurants, which are often within walking distance of residential areas.

2. In accordance with Charter Section 558 (b) (2), the proposed ordinance (see attachment) is in substantial conformance with public necessity, convenience, general welfare and good zoning practice. Consistent with City policy that farmers' markets are an allowable use in many zones, the ordinance reorganizes the processes by which they are permitted, therefore allowing that they be located in more areas throughout the City. The proposed ordinance does not change what is allowed to be sold at farmers' markets. It merely reorganizes the process by which they are permitted.

## **CHARTER SECTION 559**

As provided under the authority of Charter Section 559 and City Planning Case No. CPC-2011-1330-CA, I find that the proposed ordinance does not conform with the October 6, 2011 action of the City Planning Commission, and I therefore disapprove the draft ordinance and recommend that it not be adopted by the City Council.

Sincerely,



VINCENT P. BERTONI, AICP  
Director of Planning