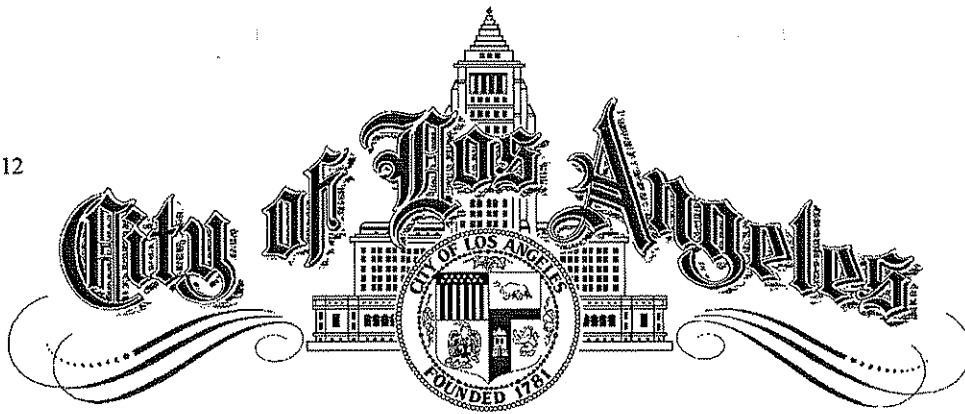


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 2 - 0 2 1 4
JUL 12 2012

REPORT RE:

**DRAFT OF ORDINANCE AMENDING SECTIONS 12.04, 12.24, 12.32 AND 13.15 OF,
AND ADDING A NEW SECTION 13.17 TO THE LOS ANGELES MUNICIPAL CODE
TO ALLOW FOR THE ADOPTION OF MODIFIED PARKING REQUIREMENT (MPR)
DISTRICTS IMPLEMENTING ONE OR MORE OF SEVEN SPECIFIED PARKING
REQUIREMENT MODIFICATION TOOLS**

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. 11-1332
CPC File No. 2007-2216-CA

Honorable Members:

We are transmitting to you for your consideration, approved as to form and legality, a draft ordinance amending Los Angeles Municipal Code (LAMC) Sections 12.04, 12.24, 12.32 and 13.15 of, and adding a new Section 13.17 to the LAMC.

Summary of Ordinance Provisions

The draft ordinance would allow for the adoption of Modified Parking Requirement (MPR) Districts implementing one or more of seven specified parking requirement modification tools. For example, the tools would authorize increased or decreased parking requirements in certain parts of the City, or authorize the provision of parking spaces off-site through the recordation of a covenant and agreement.

Charter Findings

Pursuant to Charter Section 559, the Director of Planning has approved this draft ordinance on behalf of the City Planning Commission and recommended that you adopt it. 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 his revised report dated June 27, 2012, or by making your own findings.

CEQA Determination

On September 30, 2011, the City Council found that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act (CEQA). The City Council also found that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles, and that the documents constituting the record of proceedings in this matter are located in Council File No. 11-1332 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section. The City Council also adopted Negative Declaration [ENV 2011-308-ND].

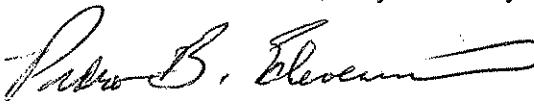
Council Rule 38 Referral

This draft ordinance does not require enforcement by an officer, board or commission of the City. As such, no Rule 38 referral was made.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Bostrom at (213) 978-8068. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE/MJB:za
Transmittal

ORDINANCE NO. _____

An ordinance amending Sections 12.04, 12.24, 12.32 and 13.15 of, and adding a new Section 13.17 to the Los Angeles Municipal Code to allow for the adoption of Modified Parking Requirement (MPR) Districts implementing one or more of seven specified parking requirement modification tools.

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

Section 1. The first paragraph of Subsection D of Section 12.04 of the Los Angeles Municipal Code is amended to add the following at the end of the list of districts:

“MPR” Modified Parking Requirement District

Sec. 2. Subsection X of Section 12.24 is amended to add a new Subdivision 29 to read as follows:

29. Reduced Parking in a Modified Parking Requirement (MPR) District. A Zoning Administrator may, upon application, reduce the number of off-street parking spaces required by Section 12.21A.4 of this Code, provided that the project is located within a Modified Parking Requirement (MPR) District established through the application of Section 13.15 of this Code, and provided further that the MPR District authorizes the Zoning Administrator to reduce the number of off-street parking spaces.

Sec. 3. Section 12.32 of the Los Angeles Municipal Code is amended to delete Subsections K and L.

Sec. 4. The first paragraph of Subdivision 2 of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to add the following at the end of the list of districts:

“MPR” Modified Parking Requirement District

Sec. 5. The second sentence of Subdivision 3(b) of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read as follows:

An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District, a Neighborhood Stabilization Overlay District, a Hillside Standards Overlay District, or a Modified Parking Requirement District shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district.

Sec. 6. The first sentence of Subdivision 3(c)(3) of Subsection S of Section 12.32 of the Los Angeles Municipal Code is amended to read as follows:

The City Planning Commission shall act on an application to establish an "O", "S", "G", "K", "CA", "POD", "CDO", "MU", "FH", "SN", "RFA", "NSO", "CPIO", "HS", or "MPR" District within 75 days from the date of the filing of the application.

Sec. 7. Section 13.15 of the Los Angeles Municipal Code is amended to read as follows:

13.15 MODIFIED PARKING REQUIREMENT (MPR) DISTRICT.

A. **Establishment of Districts.** The procedures to establish a Modified Parking Requirement (MPR) District shall be as set forth in Section 12.32 S of this Code. With the exception of the Adaptive Reuse Incentives Areas Specific Plan and the South Central Alcohol Sales Specific Plan, no MPR District shall be established in an area governed by a specific plan established before or after the effective date of this ordinance. Each ordinance creating an MPR District shall establish one or more of the strategies listed in Subsection D for the District area.

B. **Size and Boundaries.** An MPR District shall encompass a minimum of two entire block faces (as defined in Section 13.09 B.3 of this Code) or a minimum of five acres in area. The boundaries of the MPR District shall be set by ordinance.

C. **Findings.** In making the report required by Section 12.32 C-2 of this Code, the City Planning Commission shall also report to the Council on whether the District, and the strategies included in the District, are appropriate considering such factors as local transit service and dependency, automobile usage, traffic, available parking, and the goals, policies, and objectives set forth in the applicable community plan.

D. **Modified Parking Requirement (MPR) District Strategies.** Any ordinance creating an MPR District shall adopt one or more of the seven strategies listed in this subsection for the MPR District area.

1. **Change of Use Parking Standards.** The required number of parking spaces for any permitted use in the District shall be the same as the number of spaces that exist on the lot on the date the ordinance creating the District becomes effective.

2. **Off-site Parking.** The parking spaces required by Section 12.21 A.4 of this Code shall be provided either on the same lot as the use for which they are intended to serve or 1500 feet therefrom. If parking spaces are provided off-site, they must be guaranteed through a recorded covenant agreement that reserves the spaces exclusively for the use in question. Distance is to be

measured along any street, alley, public walk, or private easement that allows public pedestrian travel from the parking area to the use it is to serve.

3. **Parking Reduction Approval.** A Zoning Administrator may approve reduced parking requirements for individual projects pursuant to Section 12.24 X.29 of this Code.

4. **Decreased Parking Requirements.** An MPR District may establish parking requirements that are less restrictive than those set forth in Section 12.21 A.4 of this Code. The ordinance creating the District shall identify each use that is granted modified parking requirements, along with each use's new parking requirement. Otherwise, the number of required parking spaces shall be governed by Section 12.21 A.4. Before adopting any ordinance creating an MPR District that includes Decreased Parking Requirements, the City Council must find that:

a. The parking reduction, taking into account impacts such as parking overflow and increased traffic congestion and potential benefits such as enhanced mobility and neighborhood vitality, will not adversely affect the surrounding neighborhood; and

b. There exists a combination of parking management programs, transportation alternatives, or other infrastructure improvements, and commercial building access programs that negate the need for increased parking requirements; and

c. Flexible transportation approaches and parking management programs are more consistent with the area's air quality goals, community character and general plan than an increased number of required parking spaces.

5. **Increased Parking Requirements.** An MPR District may establish parking requirements that are more restrictive than those required in Paragraph 12.21 A.4 of this Code. The ordinance creating the District shall identify each use that is assigned increased parking requirements, along with each use's new parking requirement. Otherwise, the number of required spaces shall be governed by Section 12.21 A.4. Before adopting any ordinance creating an MPR District that includes Increased Parking Requirements, the City Council must find that:

a. There is a lack of transit service in the area; or

b. There is a high potential for spillover parking impacts on adjacent residential areas; or

c. There is a low probability that parking management programs, transportation demand management programs, or public parking facilities will be available or effective in the area.

6. **Commercial Parking Credits.** An MPR District may authorize parking requirements to be satisfied through the creation of a parking credit program. The number of available parking credits shall be established by a survey that identifies the number of underutilized public parking spaces available within the District at various times of the day. The ordinance creating the District shall list the number of credits available in the area, and the number of credits required to support a specific use for various times of the day.

7. **Maximum Parking Requirements.** An MPR District may establish maximum parking requirements. The ordinance creating the District shall set forth each use for which maximum parking requirements apply, as well as the specific parking limits for that use. Otherwise, the parking requirements set forth in Section 12.21 A.4 shall apply.

E. **Applicability of Modified Parking Strategies to Residential Uses.** This Section shall apply to lots where the zoning regulations permit multi-residential uses as follows:

1. An MPR District shall not authorize any of the strategies listed above, except for the strategies described in subsections D.5. and D.6, for any lot that contained a residential use subject to the Rent Stabilization Ordinance, or that contained any Restricted Affordable units, as defined in Section 12.22 A 25(b) of the Code, within the five years preceding the adoption of the MPR District. Required parking on such properties, however, may be reduced pursuant to Section 12.22 A. 25 of the Code, or pursuant to any other applicable affordable housing incentive program.

2. Minimum parking requirements for multi-residential uses in an MPR district shall be less restrictive for projects that qualify for a density bonus under Section 12.22 A. 25 of the Code.

Sec. 8. A new Section 13.17 is added to the Los Angeles Municipal Code to read as follows:

The violation of any condition imposed by a Zoning Administrator, Director of Planning, the Area Planning Commission, City Planning Commission or Council in approving the site requirements, methods of operation, development plans or other actions taken pursuant to the authority contained in this article shall constitute a violation of this Code.

Sec. 9. 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, at its meeting of _____.

JUNE LAGMAY, City Clerk

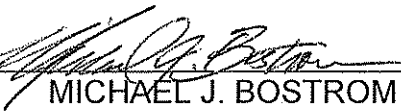
By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality


CARMEN A. TRUTANICH, City Attorney

By 
MICHAEL J. BOSTROM
Deputy City Attorney

Date July 10, 2012

File No(s). CF No. 11-1332; CPC File No. 2007-2216-CA

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

July 11, 2012
See attached report.

Michael LoGrande
Director of Planning

DEPARTMENT OF
CITY PLANNING

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AND
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VAN NUYS, CA 91401
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INFORMATION
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July 11, 2012

The Honorable Carmen A. Trutanich
City Attorney
City Hall East, 7th Floor
200 North Main Street
Los Angeles, CA 90012-4131

Attention: Michael J. Bostrom
Deputy City Attorney

**RE: Modified Parking Requirement (MPR) District Ordinance
Council File No: 11-1332 (not transmitted)
CPC File No: 2007-2216-CA (not transmitted)**

Dear Mr. Trutanich:

Transmitted is the proposed draft ordinance prepared by your office that amends the Los Angeles Municipal Code allowing for the adoption of the Modified Parking Requirement (MPR) District.

The language contained in this draft ordinance is substantially the same as that approved by the City Planning Commission on July 14, 2011 and the Planning and Land Use Management Committee (PLUM) on September 13, 2011. This letter contains the required findings regarding the ordinance.

ENVIRONMENTAL IMPACT

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration (ENV-2011-308-ND) was published on February 4, 2011. On all measures the proposed ordinance will have either no or a less than significant impact.

FINDINGS

1. In accordance with Charter Section 556, the proposed ordinance is in substantial conformance with the purposes, intent and provisions of the Transportation Element of the City's General Plan. The proposed ordinance implements Policy 2.24 of the Transportation Element by implementing shared-parking, peripheral parking, and parking-pricing strategies in high-employment areas; Policy 3.10 of the Transportation Element by developing new and refined parking policy procedures for designated centers and districts; Policy 3.11 of the Transportation Element by implementing transportation improvements and demand reduction programs to mitigate the circulation impacts attributable to new development in accordance with State nexus legislation and judicial findings; Policy 3.12 of the Transportation Element to promote transit access in neighborhood districts, community and regional centers, and along mixed-use boulevards; Policy 3.14 to promote shared-parking in appropriate centers and districts; and Policy 4.1 to minimize the intrusion of traffic generated by new regional or local development into residential neighborhoods while preserving an adequate collector street system; and

the proposed ordinance will encourage the development of multiple-family housing at all income levels, a goal of the General Plan. Furthermore, this ordinance implements Framework Element, Objective 3.4.3, which states that the City must "[e]stablish incentives for the attraction of growth and development in the districts, centers, and mixed-use boulevards targeted for growth that may include ... [m]odified parking requirements in areas in proximity to transit or other standards that reduce the cost of development ..." Objective 4.4.1 states that the City must "[t]ake the following actions in order to increase housing production and capacity ... [s]treamline procedures for securing building permits, inspections, and other clearances needed to construct housing."; and

the proposed ordinance 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 parking requirements established in the enabling legislation for the new MPR District, therefore there will be no effects on any above-referenced plan; and

2. in accordance with Charter Section 558 (b)(2), the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice in that it will allow the development of more housing by easing the process by which required parking spaces for residential uses can be reduced. Objective 4.1.8 of the General Plan Framework states that the City must "[c]reate incentives and reduce regulatory barriers in appropriate locations in order to promote the adaptive re-use of structures for housing and rehabilitation of existing units"; and in accordance with the City Planning Commission policy, "Do Real Planning", the

proposed ordinance is in substantial conformance with the intent and purpose of item 12 to revisit our "one size fits all" suburban parking standards, and replace them with project and location-specific tools such as parking maximums, pooled parking, automated stacked parking, and other emerging techniques.

CHARTER SECTION 559

For the foregoing reasons and as provided under the authority of Charter Section 559 and City Plan Case No. 13505-A, I find that my action conforms with all applicable portions of the General Plan and with the July 14, 2011 action of the City Planning Commission, and I therefore approve this ordinance and recommend that it be adopted by the City Council.

Sincerely,

A handwritten signature in black ink that reads "Alvin Bell for". The signature is written in a cursive, flowing style.

MICHAEL J LOGRANDE
Director of Planning

Attachment