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REPORT NO. R 1 4 - 0 2 7 4

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REPORT RE:

**REVISED DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.04,
12.32 AND 13.17 OF THE LOS ANGELES MUNICIPAL CODE
TO ENABLE THE ESTABLISHMENT OF RIVER IMPROVEMENT OVERLAY
DISTRICTS AND THE PREPARATION OF RIVER DESIGN STANDARDS
TO ENABLE THE CITY OF LOS ANGELES TO FACILITATE APPROPRIATE
DEVELOPMENT IN DESIGNATED AREAS ADJACENT
TO THE LOS ANGELES RIVER; AND**

**REVISED DRAFT ORDINANCE ESTABLISHING
THE LOS ANGELES RIVER OVERLAY DISTRICT**

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. 12-0096-S1

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration two enclosed revised draft ordinances, approved as to form and legality. The first ordinance will, if adopted, amend the Los Angeles Municipal Code to enable the establishment of and set forth the framework for River Improvement Overlay Districts. The second ordinance will establish the first such district, the Los Angeles River Improvement Overlay District.

As described below, both ordinances have been revised subsequent to your Planning and Land Use Management Committee's (PLUM) initial consideration of them during the Committee's January 14, 2014 meeting.

Background and Summary of the Ordinance Provisions

1. River Improvement Overlay Enabling Ordinance

The first proposed ordinance amends Sections 12.03, 12.04, 12.32 and 13.17 of the Los Angeles Municipal Code to enable the establishment of a new type of supplemental use district called "River Improvement Overlay" (RIO) Districts. The purpose of these districts will be to regulate the use and construction upon land located adjacent to and near the Los Angeles River in a manner that supports the goals of the Los Angeles River Revitalization Master Plan, contributes to the health of the river, establishes a positive interface between river adjacent property and the river, and serves other purposes as set forth in Section A of proposed Section 13.17 of this ordinance.

The proposed ordinance also amends Section 13.17 to set forth a detailed regulatory framework, which may be incorporated by reference into individual RIO Districts. It will be possible for the City to adopt regulations and standards for individual RIO Districts that differ from those set forth in Section 13.17. It is anticipated, however, that most of the RIO Districts will have similar content and be mostly consistent with one another.

The proposed ordinance also contemplates the establishment of new "River Design Guidelines" by Planning staff. These guidelines will focus on design characteristics that relate to the Los Angeles River and include site planning, building orientation, building entrance design, building design and materials, river paths, wayfinding, and river adjacent pocket parks. Some of these guidelines will apply only to projects that directly abut the river.

2. Los Angeles River Improvement Overlay Ordinance

The second proposed ordinance establishes the first of these RIO Districts, a RIO District called the "Los Angeles River Improvement Overlay," or "LA-RIO."

A more detailed description of these proposed ordinances is set forth in the Planning Department's report submitted to the City Planning Commission dated January 12, 2012.

3. Changes made to the Ordinances Subsequent to the PLUM Committee Meeting of January 14, 2014

PLUM initially considered these two ordinances at its meeting of January 14, 2014. At that meeting, the Committee continued consideration of the ordinances for 90 days to allow staff to reach out to the neighborhoods that would be most affected by the ordinances and to make further minor changes to the ordinances. Those changes focus on the following areas:

1. Landscaping:

- a. The requirement that invasive plants be removed was eliminated.
- b. The references to "RiverWise" were changed to "WatershedWise" to reflect the recent name change made by the Council for Watershed Health.
- c. The landscaping requirements, which used to vary by use and between the inner/outer core, were consolidated into a single requirement.
- d. Language was added to clarify that the City is not expecting a property owner to remove existing landscaping and replace it with new landscaping; in other words, the landscaping requirements in the ordinances will apply only to new landscaping.

2. Standards to Guidelines:

The name "River Design Standards" was changed to "River Design Guidelines" to reflect the fact that the River Design Guidelines were meant to complement the already established Citywide Design Guidelines.

3. Elimination of NBC Universal property from Los Angeles RIO map:

During the PLUM Committee meeting, a representative of NBC/Universal requested that language be added to the LA RIO, stating that the RIO's provisions would not apply to NBC/Universal's property located within the area subject to the plan. Subsequently, Planning staff revised the LA-RIO Map to remove the NBC/Universal property, which eliminates the need to include NBC/Universal's requested language in the ordinance. The revised map is attached to this report.

Charter Findings

Pursuant to Charter Section 559, the Planning Commission approved the draft ordinances and recommended that the City Council adopt them. If the City Council chooses to adopt these ordinances, it may comply with the provisions of Charter Section 558 by either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

CEQA Determination

The Department of City Planning has prepared Categorical Exemption Narrative No. ENV-2008-3103-CE in connection with the proposed RIO enabling ordinance and Negative Declaration No. ENV-2007-3037-ND in connection with the proposed LA-RIO ordinance.

If you concur, you may comply with CEQA by acknowledging the Categorical Exemption and by adopting the Negative Declaration prior to, or concurrent with, your action on the respective ordinances.

Council Rule 38 Referral

Copies of the final revised draft ordinances were sent, pursuant to Council Rule 38, to the Departments of Building and Safety and Public Works, with a request that any comments be presented directly to your Honorable Body at the time this matter is considered.

Recommended Actions

If the City Council wishes to adopt either or both of these draft ordinances, it should:

1. Acknowledge Categorical Exemption Narrative No. ENV-2008-3103-CE and adopt Negative No. Declaration ENV-2007-3037-ND; and
2. Adopt the draft ordinances.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. 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,

MICHAEL N. FEUER, City Attorney

By 
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DM/KTF:zra
Transmittal