

FINDINGS

General Plan/Charter Findings

In accordance with Charter Section 556, the proposed ordinance amending the Los Angeles Municipal Code is in substantial conformance with the purposes, intent and provisions of the City's General Plan, and all applicable provisions of the Los Angeles Municipal Code (LAMC).

General Plan Framework Consistency

The proposed ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several goals, objectives, and policies echoed in the applicable Community Plans which are part of the Land Use Element of the General Plan.

General Plan Framework

The proposed resolution (Exhibit A) and ordinance (Exhibit B) amending the LAMC is consistent with the following goals, objectives, and policies of the General Plan Framework:

Objective 7.4 “Improve the provision of governmental services, expedite the administrative processing of development applications...”

Policy 7.4.1 Develop and maintain a streamlined development review process to assure the City's competitiveness within the Southern California region.

Objective 7.8 Maintain and improve municipal service levels throughout the City to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development.

The proposed amendment is consistent with the General Plan Framework's goals, objectives, and policies of maintaining and improving development review process and municipal service levels by transferring the land use authority of the CRA/LA-DLA to the City of Los Angeles. The Redevelopment Project Areas encompass the urban and dense areas of the City totaling approximately 14,959 acres. With approximately 5% of the Redevelopment Project Areas covering some of the City's most urban and dense areas, many development projects will lie within Redevelopment Project Areas and will be subject to the Redevelopment Plan regulations. Due to the scale of the Redevelopment Project Areas and the Regional Commercial centers located within them, transferring the land use authority from CRA/LA-DLA to the City will further promote the General Plan Framework's policy of streamlining development review process to assure the City's competitiveness within the Southern California region. Removing procedural barriers by streamlining how discretionary projects are processed and reviewed will provide continuity, clarity and consistency needed for the City to continue to attract investment particularly in what are often disadvantageous areas. Timely processing of discretionary actions will allow development projects, particularly affordable housing projects, to meet rigid timelines required for loans or tax credit programs to secure funding for their projects.

Additionally, by consolidating land use authority to a single entity, the proposed resolution and ordinance will support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development. The Redevelopment Project Areas have been neighborhoods identified by CRA/LA-DLA to be blighted and in need of revitalizing, refurbishing and renewing, however, post dissolution, with CRA/LA-DLA's limited capacity to process proposed development projects in the area, desirable new development may find it discouraging to invest in the neighborhoods to support new and neighborhood-serving projects in the area. Projects subject to discretionary review from CRA/LA-DLA, following the transfer of land use will still be subject to the same discretionary review by the City, except that the Department of City Planning will provide more predictability regarding processing times and staff availability for inquiries. Therefore, the proposed resolution and proposed ordinance is consistent with and further promotes the goals, objectives, and policies of the General Plan Framework.

Public Necessity, Convenience, General Welfare, and Good Zoning

Los Angeles City Charter Section 558 and LAMC Section 12.32(C)(7) require 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 proposed resolution and ordinance conforms to public necessity, convenience, general welfare, and good zoning practice because the intent of the proposed resolution and ordinance is to facilitate local land use control to be streamlined under the purview of a single government agency and continue to implement the unexpired Redevelopment Plans pursuant to AB 1484. In the post-dissolution context, development has not been processed in a streamlined manner. The CRA/LA-DLA's primary role is to wind down operations, make payment on debt services and perform activities related to the former redevelopment agency's enforceable obligations and dispose of its assets, and the limited CRA/LA-DLA staff is not primarily dedicated to, nor does it have the capacity to administer the Redevelopment Plans and its land use regulations.

The Redevelopment Project Areas span over nine different Council Districts and are located within various Community Plan areas and neighborhoods, yet, it is being administered by a limited number of CRA/LA-DLA staff on a part-time basis. Having had one of the largest former redevelopment agencies in the State, transfer of the land use authority from CRA/LA-DLA is necessary to ensure development projects are reviewed routinely and Redevelopment Plans are implemented consistently and in harmony with State and local laws. A dual and untimely review process, particularly as it pertains to housing production during California's housing crisis, is contradictory to the intent of recent State legislation adopted with the purpose of streamlining processes and facilitating housing production. The transfer of authority ensures that the Redevelopment Plans will be implemented by processes that are similar to those procedures by the CRA/LA-DLA with adequate resources and staff who will process projects routinely and consistent with the Redevelopment Plans, State and local laws. Therefore, the proposed resolution and code amendment ordinance conforms to public necessity, convenience, general welfare, and good zoning practice.

Environmental (CEQA) Findings

Pursuant to Section 15378(b)(5) of the Public Resources Code, the Department of City Planning has determined that the proposed resolution and ordinance is not a Project for the purposes of the California Environmental Quality Act (CEQA). The proposed resolution and ordinance is a reorganization of rules and thus has no effect on the physical environment. The proposed resolution and ordinance does not change the land use regulations but rather represents an administrative change.

The proposed resolution and ordinance is also not a Project under CEQA pursuant to Section 15378(b)(5), because “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” are not considered a Project. The proposed resolution and ordinance establishes comparable development review processes (as implemented by CRA/LA-DLA) to ensure ongoing implementation of Redevelopment Plans nor does it propose changes in height, density or FAR of any of the properties located within the Redevelopment Project Areas. The proposed resolution and ordinance will continue to ensure that projects meet all procedural requirements of CEQA, and that impacts are analyzed and environmental mitigations are imposed where necessary and appropriate as done by the Successor Agency CRA/LA-DLA. The proposed resolution is limited to transferring the land use authority of the CRA/LA-DLA to the City pursuant to dissolution law ABX1 26 and the proposed ordinance is limited to establishing administrative procedures and other code amendments to the LAMC to implement the Redevelopment Plans pursuant to AB 1484. Therefore, the proposed resolution and ordinance does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The proposed resolution and ordinance also meets the requirements of the Class 8 Categorical Exemption pursuant to CEQA Guidelines, Section 15308. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to ensure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Upon transfer of the land use authority from the CRA/LA-DLA, projects located in the Redevelopment Project Areas will require an additional level of review to ensure conformance to the Redevelopment Plans. By continuing to provide the additional level of review as was done by CRA/LA-DLA, the City will maintain processes that serves to further protect the environment.

The proposed resolution and ordinance also meets the requirements of the Class 20 Categorical Exemption pursuant to CEQA Guidelines, Section 15320. Class 20 consists of “changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to: (a) establishment of a subsidiary district; (b) consolidation of two or more districts having identical powers; and (c) merger with a city of a district lying entirely within the boundaries of the city.” The proposed resolution and ordinance is limited to consolidating the land use authority into a single government entity pursuant to dissolution law ABX1 26 and implementing the unexpired Redevelopment Plans pursuant to AB 1484. Upon transfer of land

use authority of the CRA/LA-DLA to the City of Los Angeles, development projects will be reviewed by the City rather than CRA/LA-DLA the Successor Agency, for conformity with the Redevelopment Plans, therefore, the proposed resolution and ordinance constitutes a “consolidation of two or more districts having identical powers.”

Therefore, the proposed resolution and ordinance is not considered a “Project” under CEQA pursuant to Section 15378(b)(5) of the California Public Resources Code. However, if it were a project, it would be exempt from CEQA under the Class 8 and Class 20 Categorical Exemptions and none of the exceptions to exemption under CEQA Guidelines Section 15300.2 apply.

The Department of City Planning determined that the Project would not have a significant impact on the environment. Negative Declaration ENV-2019-4121-ND was prepared for any potential impacts on the physical environment.

On the basis of the whole of the administrative 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 negative effect on the environment. The Negative Declaration was published in the Los Angeles Times on Thursday, July 18, 2019, and reflects the lead agency’s independent judgment and analysis. The records upon which this decision is based are located at the Community Planning Bureau of the Department of City Planning in Room 667, 200 North Spring Street Los Angeles, CA 90012.