

# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT



### City Planning Commission

**Date:** December 20, 2018  
**Time:** After 8:30 am  
**Place:** Van Nuys City Hall  
Council Chambers, 2<sup>nd</sup> Floor  
14410 Sylvan Street  
Van Nuys, CA 91401

**Public Hearing:** November 14, 2018  
**Appeal Status:** N/A  
**Expiration Date:** March 5, 2019  
**Multiple Approval:** N/A

**Case No.:** CPC-2018-6005-CA  
**CEQA No.:** ENV-2018-6006-CE  
**Incidental Cases:** N/A  
**Related Cases:** CPC-2013-3169-CA  
ENV-2013-3170-CE  
**Council No.:** 1-Cedillo, 2-Krekorian, 4-Ryu,  
8-Harris-Dawson, 9-Price,  
10-Wesson, 13-O'Farrell,  
14-Huizar, 15-Buscaino  
**Plan Area:** San Pedro, Wilmington-Harbor  
City, Southeast Los Angeles,  
South Los Angeles, West  
Adams-Baldwin Hills, Boyle  
Heights, Central City North,  
Central City, Westlake,  
Wilshire, Northeast Los  
Angeles, Hollywood, North  
Hollywood-Valley Village  
**Specific Plan:** Multiple  
**Certified NC:** Multiple  
**GPLU:** Multiple  
**Zone:** Multiple  
**Applicant:** City of Los Angeles

**PROJECT LOCATION:** The Project Location consists of the 20 unexpired Redevelopment Project Areas located throughout the City. The 20 unexpired Redevelopment Project Areas are: East Hollywood/Beverly-Normandie, North Hollywood, Chinatown, Broadway/Manchester, Wilshire/Koreatown, Crenshaw, Crenshaw/Slauson, Watts Corridor, Council District 9, Hollywood, Mid-City, Western Slauson, Vermont/Manchester, Laurel Canyon, Westlake, Exposition/University Park, Adelante Eastside, Pacific Corridor, City Center, and Central Industrial.

**PROPOSED PROJECT:** Actions related to the transfer of land use authority from the Community Redevelopment Agency, Designated Local Authority (CRA/LA-DLA), to the City of Los Angeles, including a Resolution to transfer the land use authority and an Ordinance establishing procedures implementing the Redevelopment Plans and other amendments to the Los Angeles Municipal Code to facilitate the transfer of land use authority.

**REQUESTED ACTION:** 1. Pursuant to California Public Resources Code, Section 15378(b)(5), determine the proposed resolution and ordinance is not a project under CEQA. Pursuant to CEQA Guidelines, Sections 15308 and 15320, that the proposed resolution and ordinance is exempt from CEQA and that there is no substantial evidence demonstrating that an

exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies (Exhibit D).

2. Pursuant to Section 558 of the Los Angeles City Charter, approve and recommend that the City Council adopt a Resolution transferring the land use authority of the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA - DLA) to the City of Los Angeles (Exhibit A).
3. Pursuant to Section 12.32(C)(7) of the Los Angeles Municipal Code, approve and recommend that the City Council adopt an **Ordinance** amending the Los Angeles Municipal Code (Exhibit B) to facilitate the transfer of land use authority from CRA/LA-DLA.


#### RECOMMENDED ACTIONS:

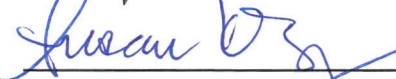
1. **Approve** and **Recommend** that the City Council **Determine**, based on the whole of the administrative record, that the proposed resolution and ordinance is not a project under CEQA pursuant to Section 15378(b)(5) of the California Public Resource Code and that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15308 and 15320, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **Approve** and **Recommend** that the City Council **Adopt** the **Resolution** transferring the land use authority from the CRA/LA-DLA to the City of Los Angeles.
3. **Approve** and **Recommend** that the City Council **Adopt** the **Ordinance** establishing procedures implementing the Redevelopment Plans and other amendments to the Los Angeles Municipal Code to facilitate the transfer of land use authority from CRA/LA-DLA.
4. **Adopt** the staff report as the Commission's report on the subject.
5. **Approve** and **Recommend** that the City Council **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP  
Director of Planning

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**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, 200 North Spring Street, Room 272, 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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## PROJECT ANALYSIS

### Project Summary

Actions related to the transfer of land use authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA) to the City of Los Angeles include a proposed resolution and ordinance. The proposed resolution authorizes the transfer of land use authority and would allow the City of Los Angeles to assume only the land use authority vested in the redevelopment plans consistent with state law. All other functions in the Redevelopment Plans that are not land use functions called out in the land use sections ("Land Uses Permitted in the Project Area") of the Redevelopment Plans remain with the CRA/LA-DLA and are not part of the transfer.

The proposed ordinance amends the code to add a new section which establishes the City's procedures to implement the unexpired Redevelopment Plans. In addition, the ordinance amends various sections of the Los Angeles Municipal Code (LAMC) and updates references to the former Community Redevelopment Agency. Adoption of the proposed resolution and ordinance will consolidate the review of land use entitlements under a single entity within the City providing continuity, clarity and consistency for projects within Redevelopment Project Areas (Exhibit C).

This action does not change or amend any land use provisions of any of the existing unexpired Redevelopment Plans or adopted Designs for Developments or Design Guidelines (DFDs). As outlined in the proposed ordinance, procedures established for the implementation of the Redevelopment Plans mirror the processes used by the CRA/LA-DLA today. With the exception of geographic areas governed by specific plans or other overlay zones, DCP staff typically reviews and signs off on building permits associated with discretionary actions. In the case of the Redevelopment Project Areas, to be consistent with the CRA/LA-DLA's practice, DCP staff will review and sign off on all building permits, including those associated with otherwise by-right projects, ensuring continuity in the implementation of Redevelopment Plans. With the adoption of the proposed ordinance and resolution to transfer the land use authority, DCP will, upon the effective date of the transfer, immediately be able to review projects in the remaining Redevelopment Project Areas and ensure the ongoing implementation of the Unexpired Redevelopment Plans.

### Background

The Community Redevelopment Agency of the City of Los Angeles (CRA/LA) was established in 1948 and for over 60 years carried out redevelopment activities that included land use oversight over development projects in Redevelopment Project Areas. The CRA/LA was the City's public partner in developing housing, commercial, and other catalytic developments and engaged in economic development activities in communities that suffered from blight and catastrophic events. Though the CRA/LA was the City's partner in revitalizing, refurbishing and renewing economically disadvantaged communities, the CRA/LA operated independently from the City utilizing special authority granted to it as an entity of the state.



Under California Redevelopment Law, the CRA/LA had authority to regulate land use and development within Redevelopment Project Areas, in certain instances going beyond authority granted by the City Charter. For decades the CRA/LA reviewed development projects and enforced the land use regulations encompassed in the Redevelopment Plans and its associated DFDs. Through the CRA/LA Redevelopment Plan review process, proposed developments were required to conform to Redevelopment Plans or they entered into various types of agreements (i.e., Developer Disposition Agreement (DDA) and Owner Participation Agreement (OPA)) in order to achieve compliance with the respective Redevelopment Plans and DFDs. Redevelopment Plans and DFDs contain nuanced regulations that in some instances are more restrictive than City zoning regulations. Proposed development projects did not receive final sign-off for City building permits until the CRA/LA review process was completed. Project applicants with projects in Redevelopment Project Areas were accustomed to the dual review process when the CRA/LA was fully operating and development projects were processed more routinely.

In 2011, the State Legislature approved Assembly Bill (AB)X1 26 which dissolved over 400 redevelopment agencies throughout the State. Following the resolution of legal challenges, the CRA/LA dissolved on February 1, 2012. At the time, the City of Los Angeles elected not to become the Successor Agency for the CRA/LA, an option included in the dissolution legislation. As a result, the Governor appointed a three-member governing board of the Successor Agency, which became known as, the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA).

The CRA/LA-DLA's primary role is to wind down the operations of the former Redevelopment Agency. The CRA/LA-DLA is required to make payments on debt services, perform activities related to the former CRA/LA's enforceable obligations and dispose of the former CRA/LA assets so that revenues can be shared among taxing entities such as the County, cities, school districts and other special districts.

While ABX1 26 dissolved redevelopment agencies' economic and financing tools, it did not abolish the existing Redevelopment Project Areas or eliminate their associated Redevelopment Plans. The Redevelopment Plans were adopted by the City Council and remain in effect until the respective expiration date of each Redevelopment Plan. As such, redevelopment land use approvals need to be processed routinely in order to allow property owners and applicants the ability to rehabilitate or develop properties consistent with design and use regulations and policies found in each Redevelopment Plan.

In June 2012, the State passed additional CRA legislation, Assembly Bill 1484 which allows the land use related plans and functions of the former redevelopment agency to be transferred to the jurisdiction that authorized the creation of the redevelopment agency.

Following dissolution, the few remaining staff at the CRA/LA-DLA continue to implement the Redevelopment Plans with limited capacity. However, Redevelopment Plans still require projects to obtain ministerial and discretionary land use approvals from CRA/LA-DLA staff and/or the CRA/LA-DLA Governing Board and to comply with the City's Zoning Code. Therefore, the City

must transfer the land use authority from CRA/LA/DLA, in part to ensure the continued implementation of the land use policies of the Redevelopment Plans.

### **Analysis**

The proposed resolution and ordinance are necessary for the Department of City Planning to immediately begin administering the Redevelopment Plans. Upon adoption, the proposed resolution effectuates the transfer of land use authority to the City, and the accompanying code amendment ordinance will establish the procedures necessary to effectively implement the Redevelopment Plans.

### **Proposed Resolution**

The proposed resolution authorizes the transfer of land use authority of the CRA/LA-DLA to the City of Los Angeles. In accordance with AB 1484, only the land use related plans and functions are to be transferred to the City, all other functions and enforceable obligations remain with the Successor Agency, CRA/LA-DLA. AB 1484 recognizes that not all cities and counties have elected to become the Successor Agency and has provided a clarification to dissolution law to allow for the continued implementation of the Redevelopment Plans, separate from the primary function of the Successor Agency to wind down its operations.

The proposed resolution lists the individual unexpired Redevelopment Plans and identifies the land use sections of each Redevelopment Plan to further clarify that the City is only transferring the land use related plans and functions of the former redevelopment agency. Through this action, the City intends to implement only the land use related plans and functions to the extent that it is authorized by AB 1484 and the City Charter, and not to an extent that would violate law. Some Redevelopment Plans, such as the Hollywood Redevelopment Plan as an example, have additional provisions that call for the rehabilitation and conservation of existing buildings. While this provision is not expressly in the land use section of the Redevelopment Plan, to the extent that a project involves a building or structure that is designated as a historic resource or is identified as an eligible historic resource on a survey using City-sanctioned survey methods, DCP staff, as is current practice and required by other adopted City ordinances (LAMC 91.106.4.5 and 91.106.4.5.1 through 91.106.4.5.5; see further discussion below), will flag and review those projects, in accordance with the applicable provisions of the respective Redevelopment Plan and in compliance with CEQA. Per CEQA, projects that may have an impact on a historic resource (designated or eligible) have to mitigate those impacts to less than significant levels to the extent feasible. This may be accomplished by modifying the project so that it adheres to the "Secretary of Interior's Standards for Rehabilitation," for example.

Additionally, the proposed resolution defines "Land Use Provisions" and identifies only those provisions as subject to the transfer as a means to distinguish "land use related plans and functions" from enforceable obligations, defined in ABX1 26 as bonds, loans required to be repaid pursuant to a repayment schedule, payments required by governmental agencies, judgments or settlements, or contracts necessary for the continued administration and operation of the DLA to

the extent permitted by ABX1 26. Since the CRA/LA has operated as a separate agency for decades, CRA/LA has entered into settlement agreements which has obligated it to certain settlement agreement terms separate and apart from the City. As the CRA/LA-DLA continues to operate as the Successor Agency, enforceable obligations as described in Section 34171(d)(1)(D) of the Health and Safety Code, will remain the responsibility of the CRA/LA-DLA, including: “Judgments or settlements entered by a competent court of law or binding arbitration decisions against the former redevelopment agency, other than passthrough payments that are made by the county auditor-controller pursuant to Section 34183.” Only land use related plans and functions of the Redevelopment Plans are transferred to the City as identified by land use section in the proposed resolution for each Redevelopment Plan.

By transferring the land use authority from the CRA/LA-DLA to the City, the City can process development projects more expeditiously and efficiently within Redevelopment Project Areas; consolidate local control over land use decision making; and ensure continuity and certainty for development and affected communities with the goal of furthering the City’s economic development goals.

### **Proposed Code Amendment Ordinance**

The proposed ordinance includes two parts: 1) establishes procedures for the implementation of the Redevelopment Plans as they exist and associated Designs for Development and Design Guidelines (collectively, the “DFDs”) and 2) cleans up references to the former CRA/LA and/or CRA/LA-DLA and identifies as appropriate an alternative decision making entity or process. The proposed ordinance will facilitate the transfer of land use authority and is intended to be adopted together with the proposed resolution.

#### *Procedures for Redevelopment Plan Implementation*

The proposed ordinance establishes procedures for the implementation of the Redevelopment Plans and amends portions of the LAMC to facilitate the transfer of land use authority. The procedures implementing the Redevelopment Plans establishes comparable development review processes to the CRA/LA-DLA’s existing processes. Those processes mirror the City’s Specific Plan procedures and aligns with the reorganization of City processes, consistent with the City’s re:codeLA code rewrite effort.

The proposed procedures establish processes for ministerial and discretionary approvals including: 1) an Administrative Review process for by-right projects that comply with the regulations of a Redevelopment Plan, similar to how CRA/LA-DLA currently reviews projects requiring ministerial approvals such as building permit “sign-offs”; 2) a Project Compliance process for those development projects requiring discretionary review and/or additional Redevelopment Plan conformance findings; 3) a Project Adjustment for those projects requesting a deviation from the Redevelopment Plan, often termed a “Minor Variation or Variation” in the various Redevelopment Plans; and 4) a Project Modification process for those projects that further modify a project from an approved entitlement. Additionally, the proposed ordinance establishes

a process to initiate a Redevelopment Plan Amendment, though the process to amend a Redevelopment Plan shall also be in accordance with State law. Together, the proposed procedures mirror the existing CRA/LA-DLA implementation processes and create equivalent ministerial and discretionary review processes by the appropriate City decision-making body to ensure that development projects continue to be processed with the level of review intended in the Redevelopment Plans.

#### *Procedures for Reviewing Historic Resources*

The proposed procedures will ensure that proposed projects in Redevelopment Project Areas are subject to an equivalent level of review as is required by the Redevelopment Plans. The proposed ordinance mirrors the City's existing specific plan procedures and does not intend to minimize the level of review required in Redevelopment Project Areas, particularly as it pertains to achieving of the Redevelopment Plan's goals of protecting historic resources.

Although the proposed ordinance does not explicitly specify procedures for the review of projects that involve identified or eligible historic resources, upon transfer of land use authority, the City will continue to enforce and comply with the required steps, including consulting with DCP's Office of Historic Resources, to identify potential historic resources and require proposed projects to comply with the required measures to protect those identified historic resources, in addition to complying with all applicable California Environmental Quality Act (CEQA) provisions, which also require that a project's impact on historic resources be disclosed and mitigated to the extent feasible. As is current practice, the City adheres to State and local requirements that prescribe heightened levels of review for historic resources and by reviewing all building permits in Redevelopment Project Areas, it will extend this level of review to by-right as well as discretionary projects. The City also reviews projects in compliance with adopted ordinances that require review of the buildings or structures that are designated historic resources and those that have been found to be eligible for designation (LAMC 91.106.4.5) and that, as applicable, further require notification of demolition (91.106.4.5.1 to 91.106.4.5.5) to specified parties prior to the issuance of demolition permits. These existing City procedures, along with those being established in the proposed ordinance, align with and mirror the existing CRA/LA-DLA practice of flagging and reviewing projects that have the potential to impact historic resources, as required by the Redevelopment Plans.

Finally, it relates to procedures for the review of projects that involve historic resources in Hollywood in particular, development review processes as described above will continue to ensure that impacts to historic resources will be mitigated to the extent feasible and without requiring subsequent environmental review. Some interested parties expressed concern that transfer of the land use authority to the City would put historic resources at risk because of conclusion in the Hollywood Community Plan Draft Environmental Impact Report (DEIR) that impacts to historic resources will be significant and unavoidable. However, with the implementation procedures established by the proposed ordinance, an equivalent level of review as conducted by the CRA/LA-DLA, will continue to be provided for projects in Redevelopment Project Areas. Moreover, the draft Hollywood Community Plan and the recently released



Hollywood Community Plan DEIR continue to rely on the existing regulatory framework, and include, as a project design features both review procedures and regulations such as demolition delay for historic resources in the Regional Center, that provide safeguards for the protection for historic resources. While the draft Hollywood Community Plan does not provide any less protections for historic resources, but rather provides greater mechanisms for the protection of historic resources than exist today, the Hollywood DEIR nonetheless concludes that the Plan's impact on historic resources is significant and unavoidable. This represents a conservative analysis, given the 20-year horizon of the Plan and is better reflective of the City's authorities as it relates to the protection of historic resources for the Community Plan Area as a whole, which encompasses a larger area than that covered by the Hollywood Redevelopment Project Area.

#### *Procedures for Reviewing Multiple Approvals*

References to the former CRA/LA exist throughout the Zoning Code. As a result, the code amendment ordinance additionally proposes to revise the Zoning Code to replace the CRA/LA with the comparable decision making authority within the City. When a City Planning entitlement is also required, the proposed ordinance clarifies that the project will be processed as a "Multiple Approvals" case, as set forth in LAMC Section 12.36. This clause recognizes the intent to maintain the same level of review required of the Redevelopment Plans while addressing the different entitlements that may also be required by the City. Streamlining the appropriate levels of review ensures conformance with the applicable Redevelopment Plans, while removing duplicative processes.

#### *Procedures for Transfer of Floor Area Rights (TFAR) and other similar Land Use Approvals*

The CRA/LA and its governing board currently play a role in the decision making process for projects involving a Transfer of Floor Area Rights (LAMC Article 4.5). With the inclusion of Section 1 of the proposed ordinance, the code amendment clarifies that with the transfer of the land use authority, the City will be the sole decision maker for projects requesting a transfer of floor area rights or other similar land use approvals where existing procedures explicitly identify the former CRA/LA-DLA as separate decision making body. Section 11.13 of the proposed ordinance specifies that where the former CRA/LA had a role in the land use decision making process, the City will assume that responsibility upon transfer; specifically, the proposed ordinance states that the CRA/LA, "shall have no further authority or responsibility to prepare reports, hear appeals, make findings, impose conditions or make recommendations or approvals...." This new code section ensures that existing procedures and the existing findings and requirements remain in place upon the transfer of land use authority. For example, as it pertains to the Transfer of Floor Area Rights (TFAR), the required process and findings for those TFAR projects located within the City Center Redevelopment Project Area will remain the same, with the exception that it will no longer require action by the CRA/LA-DLA Governing Board. As outlined in Article 4.5 of the Zoning Code, the decision maker on those projects will be the same as TFAR projects within the Central City Community Plan Area, but outside of the City Center Redevelopment Project Area and will continue to be the Associate Zoning Administrator, Director of Planning or City Planning Commission, depending on the amount of floor area being transferred and the nature of any other

discretionary actions that may be required by a project. Similarly, for all other procedures throughout the LAMC that have a separate role for the former CRA/LA, the City will be the sole decision maker and the project will be processed according to the existing procedures, except that separate approval by CRA/LA-DLA will no longer be required and all land use decisions will be determined by the appropriate City decision making body.

#### *Procedures for Design for Developments (DFDs)*

Certain DFDs entail a greater specificity of land use regulations that in some cases encompass rules (such as height, FAR, density, setbacks, etc.) that differ from and may be more restrictive than those found in the City's Zoning Code. The proposed Redevelopment Plan implementation procedures will apply to the implementation of DFDs. The additional levels of review that will be given to both by-right and discretionary projects in Redevelopment Project Areas will ensure compliance with adopted DFDs. One example is the City Center and Central Industrial Redevelopment Project Areas which have a DFD that requires the protection of and/or replacement of any demolished Residential Hotels units. Implementation of this DFD will require coordination and sign-off from multiple City departments including the Department of Building and Safety (LADBS), DCP and the Housing and Community Investment Department (HCID)<sup>1</sup>. In order to ensure ongoing implementation of this DFD, the definition of project in the proposed ordinance requires review of all building permits, including permits for interior repair, remodeling or rehabilitation, as a means to ensure that any work involving Residential Hotels/SROs, vacant or deed restricted affordable units are flagged and triggered for review. Similar processes like this already exist in the City and have been established to implement the Citywide Residential Hotel Ordinance, which also aims to protect the limited supply of Residential Hotel units Citywide and complies with applicable replacement, relocation and other requirements. The combination of the procedures that are established by the proposed ordinance and a concurrent effort on the part of the aforementioned departments to develop interdepartmental administrative procedures will ensure effective implementation of this DFD in Downtown.

#### *Other Redevelopment Processes and Procedural Requirements*

Additionally, the Ordinance gives the City the authority to determine when an Owner Participation Agreement is required of any project as designated by the Redevelopment Regulations of any Plan. Post dissolution, CRA/LA-DLA prepares Owner Participation Agreements as conditions of approval to achieve project compliance, unlike how they were used historically to specify developer obligations in exchange for any financial or other assistance that may have been provided by the CRA/LA.

#### **Post Dissolution of CRA/LA and alignment with State and local laws**

Prior to dissolution, when CRA/LA was fully staffed, CRA/LA would administer all the Redevelopment Plans and amend those Redevelopment Plans from time to time to reflect

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<sup>1</sup> This DFD contains provisions similar to those found in a settlement agreement (known as the "Wiggins Settlement") between the former CRA/LA and the Plaintiffs, collectively known as "Wiggins".

changes to State or local laws and/or ensure that there is no conflict with State or local laws. However, because the primary role of the CRA/LA-DLA pursuant to ABX1 26, is to wind down its operations by making payments on enforceable obligations and disposing of redevelopment agency assets, among other financial responsibilities, the CRA/LA-DLA no longer has the capacity to update the Redevelopment Plans and ensure they align with and conform to changes in State and local law.

In recent years, the State legislature passed numerous laws with the intent of streamlining and facilitating housing production during California's housing crisis. Among the laws passed include: Senate Bill (SB) 35 providing CEQA exemptions for certain affordable multi-family housing projects, Assembly Bill (AB) 2797 clarifying that density bonus law cannot be found inconsistent with the Coastal Act, and AB 3194 Housing Accountability Act to name a few. Similarly, in a ballot measure approved by the City of Los Angeles voters, Measure JJJ was passed to increase housing opportunities for lower income households and authorized the City to develop an affordable housing incentive program (the Transit Oriented Communities (TOC) Affordable Housing Incentive Program).

While both the State and City have passed new legislation to encourage affordable housing production, some Redevelopment Plans may have outdated language which is not aligned with current policy goals. On June 27, 2018, an advisory memo was released by the CRA/LA-DLA discussing a potential conflict of the Redevelopment Plans with local law. Transfer of land use authority from CRA/LA-DLA to the City will allow the City to holistically analyze and interpret the goal/intent of the unexpired Redevelopment Plans and determine steps necessary to maintain consistency with State and local laws.

The CRA/LA-DLA no longer has the staff nor does it prioritize aligning its Redevelopment Plans with current local and State policy, in some instances creating conflict and confusion for developers and communities. Absent CRA/LA-DLA's ability to operate at full capacity, the City would be better equipped to ensure that implementation of the Redevelopment Plans continue to align with recent and future State laws and local ordinances to minimize conflict and confusion for developers and communities where Redevelopment Plans exist. Therefore, the transfer of land use authority is also necessary to further the development goals of Redevelopment Plans, and maintain clarity and certainty for development in Redevelopment Project Areas.

Moreover, it is the intent of the City to address evolving housing and land use policies through its accelerated Community Plan Update Program that is ongoing and concurrently in progress. Many of the same policy goals of the Redevelopment Plans, such as promoting community benefits including preserving and expanding affordable housing, providing open space and protecting historic resources will be integrated in future updates to the Community Plans employing tools and approaches that represent the latest best planning practices. By transferring the land use authority, the City can further ensure that all land use policy existing and proposed, continues to be aligned with a constantly changing City and State regulatory framework while minimizing conflict and confusion for developers and communities where Redevelopment Plans exist.

**Conclusion**

The transition of authority to the City centralizes the land use planning functions that has been housed between the two government agencies. During the tenure of the CRA/LA, there was an often duplicative development review process between the two agencies. By consolidating responsibility for the remaining unexpired Redevelopment Plans with a single entity, a streamlined development review process will be established in Redevelopment Project Areas, assuring protection to communities, providing certitude for the development community and providing a more efficient development review process. Moreover, consolidating all such land use review into the City provides an opportunity to align its land use regulations with evolving housing policy and other long-range planning objectives.



## 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.



## PUBLIC COMMUNICATIONS

Beginning October 2018 the proposed resolution and draft ordinance was posted on the Department of City Planning website. The public hearing notice and a Frequently Asked Questions handout was also available online soliciting questions and public comments.

On November 14, 2018, a public hearing was held at City Hall 200 North Spring St. Room 1050 Los Angeles, CA 90012 at 10:00 a.m. There were approximately seven attendees with two of the attendees providing public testimony.

A summary of the comments received up to the close of the comment period include:

- Lack of clear authority for projects in Redevelopment Project Areas.
- The need for clarity on TOC projects and the impacts to affordable housing without the transfer.
- Concern over the residential hotels in the City Center and Central Industrial Redevelopment Project Areas and how they will be protected following the transfer of land use authority.
- An ability to have open dialogue with the City regarding the Wiggins Settlement Agreement.
- Concern about the City's implementation of the Wiggins Settlement Agreement and its many provisions, particularly as they may differ from the DFD for the Downtown area which aims to protect residential hotels in the City Center and Central Industrial Redevelopment Project Areas.
- Need to further clarify what types of projects will require an Administrative Clearance versus Redevelopment Plan Project Compliance.
- Need to align and clarify terms in proposed implementation ordinance for Redevelopment Plans with Procedure Ordinance (Code Studies).
- Need to further clarify how Redevelopment Plan regulations coexist with City's regulations or supersede when there are General Plan amendments or new local zoning ordinances.
- The Hollywood Heritage Settlement Agreement obligations need to be incorporated into the proposed ordinance and resolution.

Comments received after the close of the comment period may not be summarized in this report, however, will still be included in the case file.

**Exhibit A:**  
**Proposed Resolution**  
**Transfer of Land Use Authority from CRA/LA-DLA to**  
**the City of Los Angeles**

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**Case No.:**  
CPC-2018-6005-CA

## RESOLUTION

**WHEREAS**, in 1945, the California State Legislature authorized the formation of community redevelopment agencies as a tool to revitalize blighted communities; and

**WHEREAS**, in 1948, pursuant to this authority, the City of Los Angeles (City) created the Community Redevelopment Agency of the City of Los Angeles (Former Agency); and

**WHEREAS**, in the summer of 2011, the California State Legislature enacted AB X1 26, which dissolved redevelopment agencies in California and gave each city that had created a redevelopment agency the option to become the successor agency in charge of winding down the operations of the former redevelopment agency that the city had created; and

**WHEREAS**, on January 11, 2012, the City elected not to become the successor agency to the Former Agency, and on February 1, 2012, the Governor appointed a Designated Local Authority (CRA/LA-DLA) to wind down the Former Agency's operations; and

**WHEREAS**, on June 27, 2012, the State passed additional legislation (AB 1484) amending Section 34173 (i) of the California Health and Safety Code to allow the transfer of land use related plans and functions of the former redevelopment agency to the city or county that authorized the creation of the redevelopment agency and

**WHEREAS**, as of the date of adoption of this Resolution, there are: (i) 20 active redevelopment plans for 20 project areas (collectively, the "Project Areas") that were prepared by the Former Agency and adopted by the City Council by ordinances approved by the Mayor, which redevelopment plans will expire on various dates after the effective date of this Resolution and are described in Sections 3 through 22 of this Resolution (collectively, the "Redevelopment Plans"); and (ii) various design guidelines, development guidelines, and other rules, regulations, and similar guidelines governing signs, open space, streets, utilities, land use, or development that were adopted by the Former Agency pursuant to the Redevelopment Plans (collectively, the "Guidelines"); and

**WHEREAS**, while Health and Safety Code Section 34173(i) provides for the transfer of land use related plans and functions of the Former Agency to the City, Health and Safety Code Section 34173(g) provides that liabilities of the Former Agency shall not be transferred to the City, and Health and Safety Code Sections 34177(a) and 34177(c) provide that the CRA/LA-DLA is required to make payments due for any enforceable obligations of the Former Agency or CRA/LA-DLA, as defined in Health and Safety Code Section 34171(d), (collectively "Enforceable Obligations") and to perform obligations required pursuant to any Enforceable Obligation; and

**WHEREAS**, transferring the land use related plans and functions of the Former Agency to the City is critical to: (i) maintain important land use protections in the areas with active redevelopment plans, (ii) retain local control over land use policy in the City,

(iii) ensure continuity and certainty for the development community, and (iv) ensure that the City's economic development goals are achieved;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Recitals set forth above are true and correct and are incorporated herein by reference.

2. Pursuant to the authority conferred upon the City by Health and Safety Code Section 34173(i), all land use related plans and functions of the Former Agency, which are set forth in paragraphs A and B of this Section, are hereby, transferred to the City.

A. For purposes of this Resolution, land use related plans of the Former Agency mean only those provisions of the Redevelopment Plans and Guidelines that govern land use or development, including, but not limited to, provisions that establish allowable land uses, land use restrictions, controls, processes or procedures, Designs for Development and Design Guidelines (collectively, the "Land Use Provisions").

B. For purposes of this Resolution, land use related functions of the Former Agency mean only the following functions, which, following the effective date of this Resolution, the City shall apply the Land Use Provisions to the Project Areas; and shall undertake related activities as necessary.

C. Nothing herein shall be construed to prohibit the City, following the effective date of this Resolution, from doing any of the following:

i. Updating, amending or performing any other actions pursuant to State law to the Land Use Provisions; or

ii. Adopting additional design guidelines, development guidelines, and updating the General Plan, Community Plans and policies and other rules, regulations, and similar guidelines governing signs, open space, streets, utilities, land use, or development within the Project Areas.

D. Nothing herein shall be construed to require the City to do any of the following:

i. Perform any land use related function, including enforcement of regulations related to signs, in a manner or to an extent that would avoid violating applicable law;

ii. Perform any land use related function including enforcement of regulations related to signs, in accordance with a final order of a court of competent jurisdiction.



**3.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Adelante Eastside Redevelopment Plan as adopted by Ordinance No. 172,514, and as heretofore amended.

**4.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Broadway/Manchester Redevelopment Plan as adopted by Ordinance No. 170,175, and as heretofore amended.

**5.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Central Industrial Redevelopment Plan as adopted by Ordinance No. 174,978, and as heretofore amended.

**6.** The transfer set forth in section 2 above includes Section 600 the Land Use Provisions set forth in the Chinatown Redevelopment Plan as adopted by Ordinance No. 153,365, and as heretofore amended.

**7.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the City Center Redevelopment Plan as adopted by Ordinance No. 174,593, and as heretofore amended.

**8.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Council District 9 Corridors Redevelopment Plan as adopted by Ordinance No. 170,807, and as heretofore amended.

**9.** The transfer set forth in section 2 above includes Section 5000 the Land Use Provisions set forth in the Crenshaw Redevelopment Plan as adopted by Ordinance No. 158,933, and as heretofore amended.

**10.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Crenshaw/Slauson Redevelopment Plan as adopted by Ordinance No. 170,734, and as heretofore amended.

**11.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the East Hollywood/Beverly-Normandie Redevelopment Plan as adopted by Ordinance No. 170,176, and as heretofore amended.

**12.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Exposition/University Park Redevelopment Plan as adopted by Ordinance No. 131,730, and as heretofore amended.

**13.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Hollywood Redevelopment Plan as adopted by Ordinance No. 175,236, and as heretofore amended.

**14.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Laurel Canyon Commercial Corridor Redevelopment Plan as adopted by Ordinance No. 180,695, and as heretofore amended.

**15.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Mid-City Redevelopment Plan as adopted by Ordinance No. 171,064, and as heretofore amended.

**16.** The transfer set forth in section 2 above includes Section 600 the Land Use Provisions set forth in the North Hollywood Redevelopment Plan as adopted by Ordinance No. 152,030, and as heretofore amended.

**17.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Pacific Corridor Redevelopment Plan as adopted by Ordinance No. 174,549, and as heretofore amended.

**18.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Vermont/Manchester Redevelopment Plan as adopted by Ordinance No. 171,065, and as heretofore amended.

**19.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Watts Corridors Redevelopment Plan as adopted by Ordinance No. 170,769, and as heretofore amended.

**20.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Western/Slauson Redevelopment Plan as adopted by Ordinance No. 171,063, and as heretofore amended.

**21.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Westlake Redevelopment Plan as adopted by Ordinance No. 172,597, and as heretofore amended.

**22.** The transfer set forth in section 2 above includes Section 500 the Land Use Provisions set forth in the Wilshire Center/Koreatown Redevelopment Plan as adopted by Ordinance No. 170,806, and as heretofore amended.

**23.** The transfer of land use related plans and functions set forth herein does not create a new project area, add territory to, or expand or change the boundaries of a redevelopment project area, nor does it increase the amount of obligated property tax (formerly tax increment) necessary to fulfill any existing Enforceable Obligation beyond what was authorized as of June 27, 2011.

**24.** The transfer of land use related plans and functions set forth herein shall constitute a change in the organization or reorganization of local governmental agencies that does not alter the geographic areas within which the powers are exercised for the purposes of the California Environmental Quality Act, and therefore, such request and the transfer shall be exempt from environmental review, pursuant to Section 15320 of Title 14 of the California Code of Regulations. In addition, it can be seen with certainty that the transfer to the City of the land use plans and functions specified herein, due to the dissolution of the Former Agency, will not have a significant effect on the environment. Therefore, such request and the transfer shall be exempt from

environmental review, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

**Exhibit B:**  
**Proposed Ordinance**  
**Code Amendments to the LAMC Facilitating the**  
**Transfer of Land Use Authority**

---

**Case No.:**  
CPC-2018-6005-CA

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adding or amending Sections 11.5.9, 11.5.10, 11.5.13, 11.13, 12.04, 12.22, 12.24, 16.05, 16.11 and 19.01 of the Los Angeles Municipal Code to remove references to the former Community Redevelopment Agency of the City of Los Angeles (CRA), which was dissolved on February 1, 2012, and to implement the transfer to the City of Los Angeles of the unexpired land use related plans and functions of the former CRA pursuant to Health and Safety Code Section 34173(i), to make other cleanup amendments to the Municipal Code, and to impose fees for processing various applications.

**The People of the City of Los Angeles Do Ordain As Follows:**

**SECTION 1.** Section 11.13 is added to the Los Angeles Municipal Code to read as follows:

**SEC.11.13 RECOMMENDATION, ACTION OR APPROVAL BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES (CRA/LA), A DESIGNATED LOCAL AUTHORITY SUCCESSOR TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES (CRA/LA-DLA)**

As of the effective date of Ordinance No. XXX,XXX, the City shall review and take action regarding any Redevelopment Plan Amendment or land use approval or entitlement pursuant to Section 11.5.13 of this Code and other applicable provisions of this Code. Notwithstanding any contrary provision of this Code, City ordinances, the Community Redevelopment Law, the Redevelopment Regulations, or any applicable specific plan, supplemental use district, or other land use regulation adopted by the City, the City shall not be required to consult with or provide notice to the former Community Redevelopment Agency of the City of Los Angeles (CRA/LA) or the CRA/LA, a Designated Local Authority Successor to the Community Redevelopment Agency of the City of Los Angeles (CRA/LA-DLA). In addition, neither the CRA/LA nor the CRA/LA-DLA, including the board, staff and officers of the CRA/LA or CRA/LA-DLA, shall have no further authority or responsibility to prepare reports, hear appeals, make findings, impose conditions or make recommendations or approvals in connection with the amendment, modification or repeal of Redevelopment Regulations or the review and granting or denying of land use approvals or entitlements.

**SECTION 2.** Section 11.5.13 is added to the Los Angeles Municipal Code to read as follows:

**SEC.11.5.13 REDEVELOPMENT PLAN PROCEDURES**

**A. Objectives.** The objectives of this Section are to establish uniform citywide procedures, standards, and criteria for reviewing and processing Redevelopment Plan Projects, including Administrative Review, Project Compliance, Project Modification, Project Adjustments, and Amendments in Redevelopment Plans in

accordance with applicable provisions of the Charter, this Code, City ordinances, the Community Redevelopment Law, the Redevelopment Regulations, and any applicable specific plan, supplemental use district, or other land use regulation adopted by the City.

**B. Relationship of the Redevelopment Regulations to City Ordinances.**

1. The Redevelopment Regulations are in addition to the provisions of Chapter 1 of this Code and any other relevant City ordinances.

2. Whenever the Redevelopment Regulations conflict with provisions contained in Chapter 1 of this Code or any other relevant City ordinances, the Redevelopment Regulations shall supersede those provisions, unless the applicable Redevelopment Regulations specifically provide otherwise or are amended.

**C. Definitions.** For purposes of this Section and Section 11.13, certain terms and words are defined below. Words and phrases contained in this Section and not defined below shall have the meanings set forth in the applicable Redevelopment Plan or Section 12.03 of this Code (with priority given to definitions in the applicable Redevelopment Plan when there is a conflict between the Redevelopment Plan and this Code):

**Community Redevelopment Agency or CRA or CRA/LA** shall mean the former Community Redevelopment Agency of the City of Los Angeles, which was dissolved on February 1, 2012.

**Community Redevelopment Law** shall mean the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), as amended.

**CRA/LA, a Designated Local Authority or CRA/LA-DLA** shall mean the public body formed pursuant to Health and Safety Code Section 34173(c)(3) to serve as the successor agency to the former CRA.

**Lower Income Household** shall have the meaning ascribed thereto in the Development Guidelines and Controls for Residential Hotels in the City Center and Central Industrial Redevelopment Project Areas, adopted by the former CRA on June 15, 2006.

**Owner Participation Agreement** shall mean, prior to the effective date of Ordinance No. XXX,XXX, an agreement between a property owner and the former CRA entered into pursuant to the applicable Redevelopment Regulations, and, after the effective date of Ordinance No. XXX,XXX, shall mean an agreement between a property owner and the City entered into pursuant to the applicable Redevelopment Regulations.

**Redevelopment Plan** shall mean any of the following redevelopment plans: (i) the Adelante Eastside Redevelopment Project Redevelopment Plan, as adopted by Ordinance No. 172,514, and as amended; (ii) the Broadway/Manchester Redevelopment Plan, as adopted by Ordinance No. 170,175, and as amended; (iii) the Central Industrial Redevelopment Plan, as adopted by Ordinance No. 174,978, and as amended; (iv) the Chinatown Redevelopment Plan, as adopted by Ordinance No. 153,365, and as amended; (v) the City Center Redevelopment Plan, as adopted by Ordinance No. 174,593, and as amended; (vi) the Council District 9 Corridors Redevelopment Plan, as adopted by Ordinance No. 170,807, and as amended; (vii) the Crenshaw Redevelopment Plan, as adopted by Ordinance No. 158,933, and as amended; (viii) the Crenshaw/Slauson Redevelopment Plan, as adopted by Ordinance No. 170,734, and as amended; (ix) the East Hollywood/Beverly-Normandie Redevelopment Plan, as adopted by Ordinance No. 170,176, and as amended; (x) the Exposition/University Park Redevelopment Plan, as adopted by Ordinance No. 131,730, and as amended; (xi) the Hollywood Redevelopment Plan, as adopted by Ordinance No. 175,236, and as amended; (xii) the Laurel Canyon Commercial Corridor Redevelopment Plan, as adopted by Ordinance No. 180,695, and as amended; (xiii) the Mid-City Redevelopment Plan, as adopted by Ordinance No. 171,064, and as amended; (xiv) the North Hollywood Redevelopment Plan, as adopted by Ordinance No. 152,030, and as amended; (xv) the Pacific Corridor Redevelopment Plan, as adopted by Ordinance No. 174,549, and as amended; (xvi) the Vermont/Manchester Redevelopment Plan, as adopted by Ordinance No. 171,065, and as amended; (xvii) the Watts Corridors Redevelopment Plan, as adopted by Ordinance No. 170,769 and as amended; (xviii) the Western/Slauson Redevelopment Plan, as adopted by Ordinance No. 171,063, and as amended; (xix) the Westlake Redevelopment Plan, as adopted by Ordinance No. 172,597, and as amended; and (xx) the Wilshire Center/Koreatown Redevelopment Plan, as adopted by Ordinance No. 170,806, and as amended.

**Redevelopment Plan Amendment** shall mean an amendment to a Redevelopment Plan adopted by the City Council by ordinance after the effective date of Ordinance No. XXXXXX, which transferred land use related plans and functions of the former CRA to the City.

**Redevelopment Plan Project** shall mean any proposed activity within a Redevelopment Project Area with an Unexpired Redevelopment Plan that includes the issuance of a building, grading, demolition, sign or change of use permit, provided that a Redevelopment Plan Project shall not include activity that consists solely of interior remodeling, interior rehabilitation or interior repair work. Notwithstanding the above, all projects involving a Residential Hotel/Single Room Occupancy Hotel (SRO), vacant Dwelling Unit, or a Dwelling Unit housing Lower Income Households in the City Center Project Area and the Central Industrial Project Area shall be



considered a Redevelopment Plan Project, including interior remodeling, interior rehabilitation or interior repair work.

**Redevelopment Plan Project Administrative Review** shall mean the issuance of a ministerial approval by the Director for a Redevelopment Plan Project that complies with the applicable Redevelopment Regulations, and does not require the imposition of conditions or the making of findings.

**Redevelopment Plan Project Adjustment** shall mean the same as a Minor Variation or Variation in the applicable Redevelopment Plan and is a decision by the Director that a Redevelopment Plan Project complies with the applicable Redevelopment Regulations except for a deviation therefrom, either as submitted or with conditions imposed to achieve compliance with the Redevelopment Regulations as defined by the applicable Redevelopment Plan.

**Redevelopment Plan Project Compliance** shall mean a decision by the Director that a Redevelopment Plan Project complies with the applicable Redevelopment Regulations, either as submitted or with conditions imposed to achieve compliance with the Redevelopment Regulations.

**Redevelopment Project Area or Redevelopment Plan Area or Community Redevelopment Plan Area** shall here and after be referred to as “Redevelopment Project Area” and shall mean the area included within the specific geographic boundaries identified as a project area in a Redevelopment Plan. Redevelopment Project Areas are shown as the shaded portion of Map A.

**Redevelopment Regulations** shall mean all the land use provisions of the Redevelopment Plans and design or development guidelines adopted pursuant to such Redevelopment Plans that govern land use or development that were transferred to the City pursuant to Ordinance No. XXX,XXX. (e.g., provisions that establish required or allowable land uses, density, lot area, floor area ratio, height of Buildings or Structures, setbacks, yards, buffers, parking, drainage, fences, landscaping, lighting, trash enclosures, and signage), including required processes or procedures (e.g., requirements regarding the imposition of conditions, the making of findings or the holding of hearings).

**Residential Hotel/SRO** shall have the meaning ascribed thereto in the Development Guidelines and Controls for Residential Hotels in the City Center and Central Industrial Redevelopment Project Areas, adopted by the former CRA on June 15, 2006 and/or the Residential Hotel Ordinance (Ordinance No. 179,868) of the City of Los Angeles. All projects involving a Residential Hotel/SRO shall be considered a Redevelopment Plan Project and subject to all provisions required unless otherwise stated.

**Unexpired** shall mean that the applicable Redevelopment Regulations are effective as of the date of approval of a Redevelopment Plan Project or Redevelopment Plan Amendment.

**D. Administration of Redevelopment Plan Projects.** Applications for approval of Redevelopment Plan Projects shall be filed and processed as follows:

**1. Applications**

**(a) General Requirements.**

(1) Applications filed under this Article must include all the information required by the Department of City Planning. All applications shall be made on forms prepared by the Department of City Planning.

(2) The Council may establish fees for all applications required by this Article by ordinance. Applications shall include all fees required by Article 9 of Chapter 1 of the LAMC.

**(b) Application Completeness**

(1) An application is not complete until all required items are submitted and all required application fees are paid (see Chapter I Article 9 [Fees]).

(2) The City will not process incomplete applications. Applications will be reviewed for completeness in accordance with the Permit Streamlining Act (California Government Code Title 7, Division 1, Chapter 4.5, as may be amended from time to time).

**(c) Multiple Entitlement Requests**

(1) In order to facilitate the development process, applications for multiple entitlements for the same project shall be submitted and processed concurrently as provided in Section 12.36.

**(d) Withdrawal of Application**

(1) At any time before the initial decision maker or appellate body on appeal makes a final decision on an application, the applicant may withdraw the application.

(2) The withdrawal of the application must be in writing and does not require the decision maker to concur. The withdrawal

of the application shall be permanent and any associated authorizations shall be void.

**2. Notice and Hearing.** The Director shall provide any notice required by the applicable Redevelopment Regulations. If a Redevelopment Plan Project requires approval of another application that is being processed concurrently by the City, which also requires notice and a hearing, then that notice also shall include the notice required by the Redevelopment Regulations so all the hearings on the project can be held concurrently.

**3. Review Procedures for Project Administrative Review.**

(a) Applicability

(1) An Administrative Review is a ministerial approval for applications that comply with all requirements of the Redevelopment Plan and do not require the making of findings pursuant to the Redevelopment Regulations.

(2) Projects that do not qualify for a Project Administrative Review may apply for a Project Compliance or a Project Adjustment. Any project involving a Residential Hotel/SRO, vacant Dwelling Unit, or a Dwelling Unit housing Lower Income Households in the City Center Project Area and the Central Industrial Project Area or construction that consists of interior remodeling, interior rehabilitation or interior repair work that results in the loss of Dwelling Units shall not be processed pursuant to paragraph 3 (Review Procedures for Project Administrative Review).

(b) Initiation. An Administrative Review is initiated by filing an application with the Department of City Planning or as required in order to obtain a building permit.

(c) Notice of Public Hearing. There is no public hearing.

(d) Review

(1) Review. The Department of City Planning shall determine compliance with the applicable standards for projects requiring an Administrative Review.

(2) Clearance. Clearance shall be issued as required pursuant to the applicable ordinance or building permit requirement.

(e) Criteria for Compliance Review. The Department shall review the application for compliance with the applicable standards of this Code and the applicable Redevelopment Plan, including the zone standards, established development standards, and any supplemental use regulations.

(f) Scope of Action. After the Administrative Review determines that the application is in compliance with the applicable standards, the following actions must comply with the approved plans:

(1) The erection, enlargement or maintenance of buildings.

(2) Any development or construction work.

(3) Issuance of a grading, building or change of use permit.

(g) Appeals. There is no appeal.

(h) Modification of Action. Any change to the scope of the application requires review by the Department of City Planning as provided in

(d) Review above.

#### **4. Review Procedures for Project Compliance.**

(a) Applicability. This Section applies to the review of applications for Redevelopment Plan Projects within Redevelopment Project Areas in accordance with applicable Redevelopment Plan requirements and the State law.

(b) Initiation. A property owner files an application for Project Compliance Review with the Department of City Planning.

(c) Notice of Public Hearing. The Director shall provide any notice required by the applicable Redevelopment Regulations.

(d) Decision

(1) Decision Maker. The Director is the initial decision maker and may approve, conditionally approve or deny the Project Compliance.

(2) Decision

(i) The Director shall render the initial decision within 75 days of the date the application is deemed complete or when an EIR is required, the date the EIR is certified.

(ii) If the Director fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission in accordance with the procedures set forth in Section 11.5.7 C.5 of this Code.

(3) Transmittal. The Director shall transmit a copy of the decision by email, electronic transmission, or mail to the applicant, the Department of Building and Safety, the Councilmember(s) having jurisdiction over the Redevelopment Project Area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; and interested parties who have filed written requests with the City Planning Department.

(e) Standards for Review and Required Findings. The Director shall grant a Project Compliance upon written findings that the project:

(1) Substantially complies with the applicable Redevelopment Regulations, findings standards and provisions of the Redevelopment Plan; and

(2) Complies with CEQA; and

(3) Any other findings that are required in the applicable Redevelopment Plan.

(f) Conditions. The Director shall issue a Project Compliance only upon imposing all conditions required by the applicable Redevelopment Regulations.

(g) Scope of Decision/Utilization of Approvals. See Section 12.25 of Chapter 1 of the LAMC.

(h) Limitations. The granting of a Project Compliance shall not imply compliance with any other applicable provisions of the Los Angeles Municipal Code. Any corrections and/or modifications to project plans made subsequent to a Project Compliance that are deemed necessary by the Department of Building and Safety for Building Code compliance, and which involve a change in floor area, parking, building height, yards or setbacks, building separation or lot coverage, shall require a referral of the revised plans back to the Department of City Planning (and the Department of Transportation in cases where there are corrections and/or modifications that may

affect the calculation of vehicle trips generated, project floor area or parking) for additional review and sign-off prior to the issuance of any permit in connection with those plans.

(i) Appeals

(1) Decision Maker. The Area Planning Commission is the appellate decision maker.

(2) Filing. An applicant or any other person aggrieved by the Director's decision may file an appeal.

(3) Appellate Decision.

(i) Before acting on any appeal, the Area Planning Commission shall set the matter for hearing. The following notice is required for the public hearing on an appeal

<u>Type of Notice</u>	<u>When</u>	<u>Where/To Whom/ Additional Requirements</u>
<u>Mail</u>	<u>21 days</u>	<ul style="list-style-type: none"> <li>• <u>The applicant;</u></li> <li>• <u>Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property</u></li> <li>• <u>The Councilmember(s) having jurisdiction over the Redevelopment Plan area in which the property is located;</u></li> <li>• <u>The Department of Neighborhood Empowerment; and</u></li> <li>• <u>Interested parties who have requested notice in writing.</u></li> </ul>

(ii) The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

(iii) The appeal action must contain the same findings required to be made by the Director, supported by facts in the record.

(4). Filing of Appeals

(i). Appeals shall be in writing and filed on forms maintained by the Department.



(ii). An appeal shall specifically state the points at issue and the reasons why the decision should be upheld.

(iii). An appeal not properly or timely filed shall not be accepted.

(5). Time Limits for Appeal

(i). Appeals must be filed within 15 days after the date on the letter of determination to the applicant.

(ii). Any appeal that is filed late will not be considered by the appellate body.

(6). Appeal Procedures

(i). An appeal stays proceedings in the matter until the appellate body makes a decision.

(ii). After an appeal is filed, the initial decision maker will transmit the appeal and the file to the appellate body, together with any report if one was prepared by staff responding to the points raised made in the appeal. The Department of City Planning will make investigations and furnish any reports requested by the body to which the matter is transferred.

(iii). When the appellate body receives the appeal, the initial decision maker loses jurisdiction.

(iv). Upon the date set for the hearing, the appellate body shall either hear the appeal, or continue the matter by mutual agreement to another date if there is cause to do so. No notice of continuance need be given if the continuance is announced at the time for which the hearing was set.

(v). The appellate body will conduct a public hearing. After the public hearing, the appellate body will render a decision:

(a). Affirming the initial decision in whole or in part; or

(b). Reversing the initial decision in whole or in part, after which it may render its own decision

or remand the decision to the initial decision maker for further proceedings.

(vi). The appellate body may extend the time period for deciding an appeal to allow the consideration of changes to the project requested by the applicant. If the appellate body finds that the changes are substantial, the hearing may be continued by mutual agreement after additional posted notice is provided. The time period required for additional notice is at least the time required for post a notice on the original application. If no posted notice was required on the original application, the time period is the longest period required for mailed or published notice as applicable.

(vii). The appellate body may take additional evidence, make its own record, or base its decision on the record created by the initial decision maker.

(7) Modification of Entitlement. A Project Compliance may be modified pursuant to Subsection D.5 below.

## **5. Review or Modification of Entitlement for a Redevelopment Plan Project**

### **(a) Applicability**

(1) Original Action. This Section applies to the review or modification of an approved entitlement (referred to in this Section as the “original action”) that substantially conforms to the original approval.

### **(2) Modification**

(i) For purposes of this Section, a “modification” means any changes in the proposed physical development, planned operation, or conditions of approval.

(ii) In no event can any modification or series of modifications allow a use, single deviation, or series of deviations (including but not limited to Minor Variations, Variances, etc.) to exceed the maximum deviation allowed by the Redevelopment Plan or Zoning Code.

### **(3) Maximum Deviation**

(i) Use, single deviation, or series of deviations from the Zoning Code or Redevelopment Plan which was not approved as part of the original action; or

(ii) Any modifications which would result in an increase or reduction of the physical development, planned operation, or conditions of approval on the original action by more than 20%.

(4) New Application. Any deviation that does not substantially conform to the original action or exceeds the maximum deviation prescribed in Paragraph 3 (Maximum Deviation) above requires a new application.

(b) Initiation

(1) A Review or Modification of Entitlement is initiated by filing an application with the Department of City Planning.

(2) The application must include development plans showing the requested modifications.

(3) A Review or Modification of Entitlement shall be filed and approved before the original action expires.

(c) Notice of Public Hearing. Notice of the public hearing on an initial decision and appeal is provided in the same manner as the original action or appeal.

(d) Decision

(1) Decision Maker

(i) The initial decision maker on a Review or Modification of Entitlement is the initial decision maker on the original action.

(ii) If the project was subject to multiple approvals, the initial decision maker is the initial decision maker assigned pursuant to Section 12.36 (Multiple Approvals), unless otherwise delegated.

(iii) If the project was subject to an appeal, the decision maker on the Review or Modification of Entitlement is

the appellate body on the original action, unless otherwise delegated.

(2) Public Hearing. The initial decision maker may conduct a public hearing after providing the notice required by Notice by Public Hearing Paragraph (c) of Subdivision (2) of Subsection (a) of Section 5 above.

(3) Decision. The initial decision maker shall approve, conditionally approve or deny the request within 75 days after the application is deemed complete.

(4) Conditions. The initial decision maker may impose conditions on the modification on the same basis as provided for in connection with the original action.

(5) Transmittal. The initial decision maker shall transmit a copy of the decision by mail to the applicant, all owners and occupants of properties abutting, across the street or alley from, or having a common corner with the subject property, and persons who have filed a written request for the notice with the Department of City Planning.

(e) Standards for Review and Required Findings

(1) A Review or Modification of Entitlement shall not be granted unless the decision maker finds that the modification complies with all of the findings that apply to the original action.

(2) If the modification is a discrete development, the finding above shall consider only the requested modification and not the entire project. However, the decision maker may consider the entire project to the extent that the approved project and the modification are integrated.

(f) Scope of Decision/Utilization of Approvals. See Section 12.25 of Chapter 1 of the LAMC.

(g) Appeals. The initial decision on a Review or Modification of Entitlement is appealable in the same manner as the original decision.

(h) Modification of Entitlement. A Review or Modification of Entitlement may be modified by following the same procedures

established above for the original Review or Modification of Entitlement.

**6. Review Procedures for Project Adjustment.**

(a) Applicability. Variation from the limits, restrictions, and controls established from the applicable Redevelopment Plan.

(b) Initiation. A property owner files an application for Project Adjustment with the Department of City Planning.

(c) Notice of Public Hearing. The Director shall provide any notice required by the applicable Redevelopment Regulations.

(d) Decision

(1) Decision Maker. The Director is the initial decision maker, and may approve, conditionally approve, or deny the Project Adjustment.

(2) Decision

(i) The Director shall review and approve, disapprove or approve with conditions the project

(ii) The Director shall render the initial decision within 75 days of the date the application is deemed complete.

(ii) If the Director fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to Section 11.5.7 C.5 of this Code.

(3) Transmittal. The Director shall transmit a copy of the decision by email, electronic transmission, or mail to the applicant, the Department of Building and Safety, the Councilmember(s) having jurisdiction over the Redevelopment Plan Area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; and interested parties who have filed written requests with the City Planning Department.

(e) Standards for Review and Required Findings. The Director shall approve, or approve with conditions, a Project Adjustment if the Director finds in writing that:

(1) Substantially complies with the applicable Redevelopment Regulations; and

(2) Complies with CEQA; and

(3) All findings are met as determined by the applicable Redevelopment Plan. See Redevelopment Plan for applicable Minor Variation findings.

(f). Conditions. The Director shall grant a Project Adjustment only upon imposing all conditions required by the applicable Redevelopment Regulations.

(g) Scope of Decision/Utilization of Approvals. See Section 12.25 of Chapter 1 of the LAMC.

(h) Appeals

(1) Decision Maker. The Area Planning Commission is the appellate decision maker.

(2) Filing. An applicant or any other person aggrieved by the Director's decision may file an appeal.

(3) Appellate Decision

(i) Before acting on any appeal, the Area Planning Commission shall set the matter for hearing. The following notice is required for the public hearing on an appeal.

<b>Type of Notice</b>	<b>When</b>	<b>Where/To Whom/ Additional Requirements</b>
<u>Mail</u>	<u>21 days</u>	<ul style="list-style-type: none"><li>• <u>The applicant;</u></li><li>• <u>Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property</u></li><li>• <u>The Councilmember(s) having jurisdiction over the Redevelopment Project area in which the property is located;</u></li></ul>



		<ul style="list-style-type: none"><li>• <u>The Department of Neighborhood Empowerment; and</u></li><li>• <u>Interested parties who have requested notice in writing.</u></li></ul>
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(ii) The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

(iii) The resolution to approve must contain the same findings required to be made by the Director, supported by facts in the record.

#### (4) Filing of Appeals

(i). Appeals shall be in writing and filed on forms maintained by the Department.

(ii). An appeal shall specifically state the points at issue and the reasons why the decision should be upheld.

(iii). An appeal not properly or timely filed shall not be accepted.

#### (5) Time Limits for Appeal

(i). Appeals must be filed within 15 days after the date on the letter of determination to the applicant.

(ii). Any appeal that is filed late will not be considered by the appellate body.

#### (6) Appeal Procedures

(i). An appeal stays proceedings in the matter until the appellate body makes a decision.

(ii). After an appeal is filed, the initial decision maker will transmit the appeal and the file to the appellate body, together with any report if one was prepared by staff responding to the points raised made in the appeal. The Department of City Planning will make investigations and furnish any reports requested by the body to which the matter is transferred.

(iii). When the appellate body receives the appeal, the initial decision maker loses jurisdiction.

(iv). Upon the date set for the hearing, the appellate body shall either hear the appeal, or continue the matter by mutual agreement to another date if there is cause to do so. No notice of continuance need be given if the continuance is announced at the time for which the hearing was set.

(v). The appellate body will conduct a public hearing. After the public hearing, the appellate body will render a decision:

a. Affirming the initial decision in whole or in part; or

b. Reversing the initial decision in whole or in part, after which it may render its own decision or remand the decision to the initial decision maker for further proceedings.

(vi). The appellate body may extend the time period for deciding an appeal to allow the consideration of changes to the project requested by the applicant. If the appellate body finds that the changes are substantial, the hearing may be continued by mutual agreement after additional posted notice is provided. The time period required for additional notice is at least the time required for post a notice on the original application. If no posted notice was required on the original application, the time period is the longest period required for mailed or published notice as applicable.

(vii). The appellate body may take additional evidence, make its own record, or base its decision on the record created by the initial decision maker.

(i) Modification of Entitlement. No modification is available.

**7. Initiation of Redevelopment Plan Amendment(s).** The City Council, the City Planning Commission or the Director of Planning may initiate consideration of a proposed amendment(s) to the applicable Redevelopment Plan pursuant to State law. Any initiation by the Council or the City Planning Commission shall be by majority vote. The Council or City Planning Commission shall forward the proposed amendment(s) to the Director of Planning for a report and recommendation. The fee for a

Redevelopment Plan Amendment shall be as set forth in Section 19.01 G of this Code. The fee in Section 19.01 G shall be charged at the Discretion of the Director of City Planning.

**8. Owner Participation Agreement.** The Director shall have the initial decision-making authority to determine that an Owner Participation Agreement is required by the Redevelopment Regulations. The Director shall have the initial decision-making authority to determine that the contents of an Owner Participation Agreement are in conformance with the applicable Redevelopment Regulations.

When the Director or the Area Planning Commission requires an Owner Participation Agreement in connection with the approval of a Project Compliance or Project Adjustment, the Director or the Area Planning Commission, as applicable, shall require the applicant to record a covenant which requires compliance with the Owner Participation Agreement. The Director or the Area Planning Commission, as applicable, has the authority to approve and execute an Owner Participation Agreement on behalf of the City, provided that the Owner Participation Agreement does not impose obligations on the City. If an Owner Participation Agreement imposes obligation on the City, the Owner Participation Agreement must be approved by the City Council.

**9. Multiple Approvals.** When an application is filed pursuant to this Section for a Redevelopment Plan Project requiring multiple approvals, the process set forth in Section 12.36 shall apply.

**SECTION 3.** Subsection C of Section 11.5.9 of the Los Angeles Municipal Code is amended to read as follows:

C. Code Sections. This section applies to applications filed pursuant to Sections 11.5.6, 11.5.7, 11.5.13, 12.20.2, 12.20.3, 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27, 12.28, 12.30, 12.32, 12.36, ~~12.39\*~~, 12.50, 13.01 H., 14.00, 14.5.6, 16.01, 16.02, 16.04, 16.05, 16.50 and Articles 7 and 8 of Chapter 1 of this Code.

~~\* Section 12.39 was repealed by Ord. No. 180,308 Eff. 12/7/08.~~

**SECTION 4.** Subsection C of Section 11.5.10 of the Los Angeles Municipal Code is amended to read as follows:

C. Application to Specific Appeal Provisions. This section applies to appeals filed pursuant to Sections 11.5.6, 11.5.7, 11.5.13, 12.20.2, 12.20.3, 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.28, 12.30, 12.32, 12.36, ~~12.39\*~~, 12.50, 13.01 H., 14.00, 14.5.6, 16.01, 16.02, 16.04, 16.05, 16.50 and Articles 7 and 8 of Chapter 1 of this Code.

~~\* Section 12.39 was repealed by Ord. No. 180,308 Eff. 12/7/08.~~

**SECTION 5.** Subsection E of Section 12.04 of the Los Angeles Municipal Code is amended to read as follows:

**E.** The boundaries of ~~Community Redevelopment~~ Project Areas, as geographically designated ~~on defined in Section 12.21.3 and 11.5.13~~ and as specifically designated on Maps A; Enterprise Zones, as defined in Section 12.21.4 and as specifically designated on Maps numbered 48 through 50; and Centers Study Areas, as defined in Section 12.21.5, shall be shown on the “**Zoning Map**.”

**SECTION 6.** Paragraph (b) of Subdivision 30 of Subsection A of Section 12.22 of the Los Angeles Municipal Code are amended to read as follows:

(b) **Definition of Project.** For the purposes of this Subdivision, a Project is the construction, erection, addition to or alteration, of any Building or Structure, or a use of land or change of use on a Lot located in whole or in part within the ~~areas described in Subparagraph (b) of this Subdivision~~ Downtown Design Guide Project Area, as defined in Section 12.03 and shown on the adopted ordinance map, which requires the issuance of a grading permit, foundation permit, building permit, sign permit or use of land permit.

A Project does not include any of the following: (1) demolition; (2) adaptive reuse of an existing building which conforms to Section 12.22 A.26 of this Code; (3) remodeling of designated historic resources; (4) alterations of or additions to any existing building or structure in which the aggregate value of the work, in any one 24-month period, is less than 50% of the Building or Structure's replacement value before the alterations or additions, as determined by the Department of Building and Safety; and (5) interior remodeling of any other existing Building, unless the interior alterations are to the ground floor and will result in the alteration of windows, display windows, entrances, storefronts or otherwise minimize ground floor transparency.

**SECTION 7.** Paragraph (a) of Subdivision 3 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(a) No yard requirements shall apply except as required by the ~~Urban Downtown Design Guide as Standards and Guidelines, prepared by the Community Redevelopment Agency and approved by the City Planning Commission.~~ The Director of Planning or his/her designee shall stamp and sign the plans showing the required yards. The

applicant shall submit the stamped and signed plans to the Department of Building and Safety along with the plans submitted for a building permit.

**SECTION 8.** Paragraph (a) of Subdivision 3 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(a) No yard requirements shall apply except as required by the Urban Design Standards and Guidelines ~~as prepared by the Community Redevelopment Agency~~ and approved by the City Planning Commission. The Director of Planning or his/her designee shall stamp and sign the plans showing the required yards. The applicant shall submit the stamped and signed plans to the Department of Building and Safety along with the plans submitted for a building permit

**SECTION 9.** The sentence beginning with “**Mixed use developments**” in Paragraph (b) of Subdivision 3 of Subsection T of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

(b) Vesting conditional use permits may be filed for the following conditional uses under the authority of the City Planning Commission, Area Planning Commission, and Zoning Administrator as described in Subsections U, V and W:

**Mixed use developments** in the R5 Zone located in an approved redevelopment project area.

**SECTION 10.** The definition of “**Economic Assistance Areas**” in Paragraph (a) of Subdivision 14 of Subsection U of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Definitions.** For purposes of this Subdivision the following words and phrases are defined as follows:

**Economic Assistance Areas** means the existing geographically defined areas: ~~Five~~ State Enterprise Zones, Federal Empowerment Zone, Federal Renewal Community Zone, ~~Redevelopment Agency~~ Project Areas with ~~thirty-seven~~ Unexpired Community Redevelopment Plans, and Earthquake Project Areas, and a one-mile buffer surrounding each of the above-identified zones, as identified by the Community Development Department and as shown on the

"Los Angeles Economic Assistance Areas" Map, dated January 2004, which is attached to Council File No. 00-1675 S2 and is on file in the Community Development Department, and which may be amended from time to time.

**SECTION 11.** Paragraph (d) of Subdivision 14 of Subsection U of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

(d) **Superstores in Economic Assistance Areas**

(1) **Additional Findings.** In addition to the findings otherwise required by this Section and set forth in Paragraph (b) of this Subdivision, prior to approval of a Superstore that is located in an Economic Assistance Area, the City Planning Commission or the City Council on appeal shall find, after consideration of all economic benefits and costs, that the Superstore would not materially adversely affect the economic welfare of the Impact Area, based upon information contained in an economic impact analysis report submitted by the applicant, any other information received or obtained by the Community Development Department ~~or the Community Redevelopment Agency~~, a recommendation by the Community Development Department, ~~or the Community Redevelopment Agency~~ pursuant to Subparagraph (3) below, and any other information received before or at a public hearing required by this Section. The phrase "Impact Area" refers to a three mile radius surrounding the proposed location of the Superstore.

(2) **Procedures.** An application for approval of a Superstore pursuant to this Paragraph shall follow the procedures for conditional use permits otherwise required by this Section. In addition, the applicant shall prepare and submit the economic impact analysis report referenced in Subparagraph (1) to the Community Development Department ~~or to the Community Redevelopment Agency~~, ~~where appropriate~~, for review in conjunction with its application to the Department of Planning. The economic impact analysis report shall be reviewed by the Department ~~or Agency~~ and/or a consultant, if deemed necessary by the Department and paid for in full by the applicant. The Community Development Department ~~and the Community~~



Redevelopment Agency shall complete its review of the report within 60 days after receipt of the report from the applicant. The report shall identify whether:

- (i) Efforts to establish a market larger than 20,000 square feet within the Impact Area have been unsuccessful or whether the proposed use will have an adverse impact or economic benefit on grocery or retail shopping centers in the Impact Area;
- (ii) The Superstore would result in the physical displacement of any businesses, and, if so, the nature of the displaced businesses or would create economic stimulation in the Impact Area;
- (iii) The Superstore would require the demolition of housing, or any other action or change that results in a decrease of extremely low, very low, low or moderate income housing on site;
- (iv) The Superstore would result in the destruction or demolition of any park or other green space, playground, childcare facility, community center;
- (v) The Superstore would provide lower in cost and/or higher in quality goods and services to residents than currently available or that are currently unavailable from a cost benefit perspective within the Impact Area in which the Project is proposed to be located;
- (vi) The Superstore would displace jobs within the Impact Area or provide economic revitalization and/or job creation. For purposes of determining this impact, the applicant must identify the number of jobs displaced or created, the quality of the jobs, whether the jobs are temporary or permanent, and the employment sector in which the lost jobs are located;
- (vii) The Superstore would have a fiscal impact either positive or negative on City tax revenue;

(viii) Any restrictions exist on the subsequent use of the property on which the Superstore is proposed to be located, including the provisions of a lease if applicable, which, in the event the owner or operator of the Superstore vacates the premises, would require the premises to remain vacant for a significant amount of time;

(ix) The Superstore will result in any materially adverse or positive economic impacts or blight on the Impact Area; and

(x) Any measures are available which will mitigate any materially adverse economic impacts, if any, identified by the applicant, if necessary.

(3) **Recommendation.** The Community Development Department, ~~or the staff of the Community Redevelopment Agency if the Superstore is proposed to be located in a former Redevelopment Project Area or in the surrounding one-mile buffer zone,~~ shall review the economic impact analysis report and, after consideration of economic benefits and costs, make a written recommendation as to whether the proposed Superstore will result in a materially adverse economic impact on the Impact Area and, if so, whether conditions are available which will mitigate the economic impact. The written recommendation, including proposed mitigation measures, if any, shall be submitted to the Department of Planning by the Community Development Department, in accordance with the written procedures on file with the Department and the Agency.

**SECTION 12.** Subparagraph (3) of Paragraph (d) of Subdivision 2 of Subsection V of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

- (1) in Height District Nos. 2, 3 or 4; or
- (2) not more than 1,500 feet distant from the portal of a fixed rail transit or bus station or other similar transit facility; or

(3) within a Community Redevelopment Project Plan Area, an Enterprise Zone or a Centers Study Area, as described in Sections ~~42.21.3, 12.21.4, 12.21.5~~

**SECTION 13.** Subdivision 7 of Subsection W of Section 12.24 of the Los Angeles Municipal Code is deleted.

~~7. The change of use of the whole or part of any Building for which the original certificate of occupancy was issued prior to September 17, 1971, and used in whole or in part for any use permitted in a C Zone to any residential use permitted in the R4 or R5 Zones, provided that the Building is located in whole or in part on any Lot located within the former Central Business District Redevelopment Project Area, and provided that the density of the residential uses shall not exceed one dwelling unit per 125 square feet of Lot area.~~

**SECTION 14.** Subdivision 11 of Subsection W of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

11. **CM** uses in the C1, C1.5, C2, C4, and C5 Zones where located within the boundaries of a Community Redevelopment Project Area and when the uses conform to the provisions of the applicable Redevelopment Plan.

**SECTION 15.** Subdivision 1 (e) of Subsection C of Section 16.05 of the Los Angeles Municipal Code is deleted:

C. Requirements

1. Site Plan Review. **(Amended by Ord. No. 172,489, Eff. 4/16/99.)** No grading permit, foundation permit, building permit, or use of land permit shall be issued for any of the following development projects unless a site plan approval has first been obtained pursuant to this section. This provision shall apply to individual projects for which permits are sought and also to the cumulative sum of related or successive permits which are part of a larger project, such as piecemeal additions to a building, or multiple buildings on a lot, as determined by the Director.

~~(e) Any residential (including Apartment Hotel or mixed use) building located within the Greater Downtown Housing Incentive Area. **(Added by Ord. No. 179,076, Eff. 9/23/07.)**~~

**SECTION 16.** Subdivision 3 of Subsection D of Section 16.05 of the Los Angeles Municipal Code is amended to read as follows:

D. Exemptions

3. Any development Project located within the boundaries of a Redevelopment Project Area with an ~~adopted~~ Unexpired Redevelopment Plan shall be exempt from site plan review when:

(a) The Community Redevelopment Agency of the City of Los Angeles (CRA) and the City Council have approved an owner participation agreement, a disposition and development agreement, a loan agreement, a cooperation agreement or other discretionary agreement for the development project prior to February 1, 2012; and

(b) The project has been considered during a public hearing prior to February 1, 2012 conducted in accordance with the CRA's adopted policies and procedures for public hearings.

~~(c) The residential (including Apartment Hotel or mixed-use) building is within the Greater Downtown Housing Incentive Area and has been determined by the Community Redevelopment Agency (CRA) to comply with the Urban Design Standards and Guidelines, prepared by the CRA and approved by the City Planning Commission when the City Planning Commission finds that the guidelines are consistent with the applicable community plans.~~

~~Prior to the issuance of any building permit, the CRA shall certify to the Director and the Department of Building and Safety that the required notification, hearing and agreement have been completed.~~

**SECTION 17.** Subdivisions 3 (a) and 3 (b) of Subsection G of Section 16.05 of the Los Angeles Municipal Code are amended to read as follows:

**3. Notice – Hearing – Time Limits.**

(a) The Director shall refer all completed applications for site plan review to affected City departments for their review and report. ~~For projects in adopted Redevelopment project areas, the completed applications shall be sent to the Administrator of the CRA for review and report as to conformity with the adopted Redevelopment Plan applicable to the project.~~ Responses shall be returned within fifteen (15) days after

receipt, or such other period agreed to by the Director and the affected ~~Agency or~~ department.

(b) If the Director finds that the matter may have a significant effect on neighboring properties, the Director shall set the matter for public hearing. If the application is set for public hearing, written notice of the hearing shall be sent by First Class Mail at least 15 days prior to the hearing to the applicant, owners and tenants of the property involved, owners and tenants of all property within 100 feet of the boundary of the subject site, the City Councilmembers representing the area in which the property is located, ~~the Administrator of the CRA for projects within an adopted Redevelopment project area,~~ and any organization representing property owners or the community in the project vicinity if they request in writing to be notified. Notice shall also be given by at least one publication in a newspaper of general circulation in the City, designated for that purpose by the City Clerk, not less than 15 days prior to the date of the hearing.

**SECTION 18.** Subsection A of Section 16.11 of the Los Angeles Municipal code is amended to read as follows:

**A. Composition.** The Green Building Team shall be composed of the following officers of the City or their duly authorized representatives:

The Mayor's Office, as Chairperson;

City Council President, as co-chairperson;

Chairperson, Energy and Environment Committee of the City Council, as co-chairperson;

Chairperson, Planning and Land Use Management Committee of the City Council, as co-chairperson;

Chief Legislative Analyst;

The Director of Planning;

The City Engineer;

The Superintendent of Building;

The Chief Engineer of the Department of Fire;

The Chief Executive Officer and General Manager of the Department of Water and Power;

The General Manager of the Environmental Affairs Department;

The General Manager of the Housing Department;

The Director of the Bureau of Sanitation of the Department of Public Works; and

~~The Chief Executive Officer of the Community Redevelopment Agency of the City of Los Angeles.~~

Officers or their authorized representatives from additional departments shall participate as needed and may include:

The City Attorney;

The General Manager of the Department of Transportation;

The Director of the Bureau of Street Services of the Department of Public Works;

The Director of the Division of Urban Forestry of the Bureau of Street Services of the Department of Public Works;

The General Manager of the Harbor; and

The General Manager of the Los Angeles World Airport.

**SECTION 19.** Subsection G of Section 19.01 of the Los Angeles Municipal code is amended to read as follows:

**G. Commission or Director Approvals.**

<b>Type of Application</b>	<b>Fee*</b>
Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Minor (Section 11.5.7, 11.5.13 and Article 3, Ch. 1)	\$1,619
Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Standard (Section 11.5.7, 11.5.13 and Article 3, Ch. 1)	\$4,326
Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Standard (Single Family) (Section 11.5.7, 11.5.13 and Article 3, Ch. 1)	\$3,782

Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Major (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$6,500
Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Major (Single Family) (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$6,500
Project Permit Compliance with Design Review Board - Minor (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$2,842
Project Permit Compliance with Design Review Board - Standard (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$6,500
Project Permit Compliance and with Design Review Board - Standard (Single Family) (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$2,500
Project Permit Compliance with Design Review Board - Major (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$8,403
Project Permit Compliance and with Design Review Board - Major (Single Family) (Section 11.5.7, <u>11.5.13</u> and Article 3, Ch. 1)	\$7,859
Design Review Board - Preliminary (Section 16.50 E.3.)	\$4,482
Design Review Board - Preliminary for single- family residential dwelling (Section 16.50 E.3.)	\$1,827
Project Permit Modification (Section 11.5.7 D.) ( <u>Section 11.5.13</u> )	\$4,482
Project Permit Adjustment (Section 11.5.7 E.)	\$4,890
Specific Plan Exception (Section 11.5.7 F.)	\$14,350
Specific Plan Amendment (Section 11.5.7), <u>Redevelopment Plan Amendment</u> ( <u>Section 11.5.13</u> )	\$21,227
Specific Plan Interpretation (Section 11.5.7)	\$2,921

\* See Section 19.01 Q. for multiple applications.

The following definitions shall be used in the categories for Project Permit Compliance:

**Minor cases** are defined as three signs or less or a change of use.

**Standard cases** are defined as more than three signs, wireless cases, or projects with additions of less than 200 square feet.

**Major cases** are all other projects not falling into the categories of Minor or Standard projects.

**SECTION 20.** The transfer of land use related plans and functions set forth herein shall constitute a change in the organization or reorganization of local governmental agencies for the purposes of the California Environmental Quality Act, and therefore, such request and the transfer shall be exempt from environmental review, pursuant to Section 15320 of Title 14 of the California Code of Regulations.

**SECTION 21. SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 22.** This Ordinance shall become effective on the effective date of Ordinance No. XXXXXX, transferring the land use related plans and functions of the Former CRA/LA to the City of Los Angeles.



**SECTION 23.** 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 \_\_\_\_\_.

HOLLY WOLCOTT, City Clerk

By \_\_\_\_\_  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FUER, City Attorney

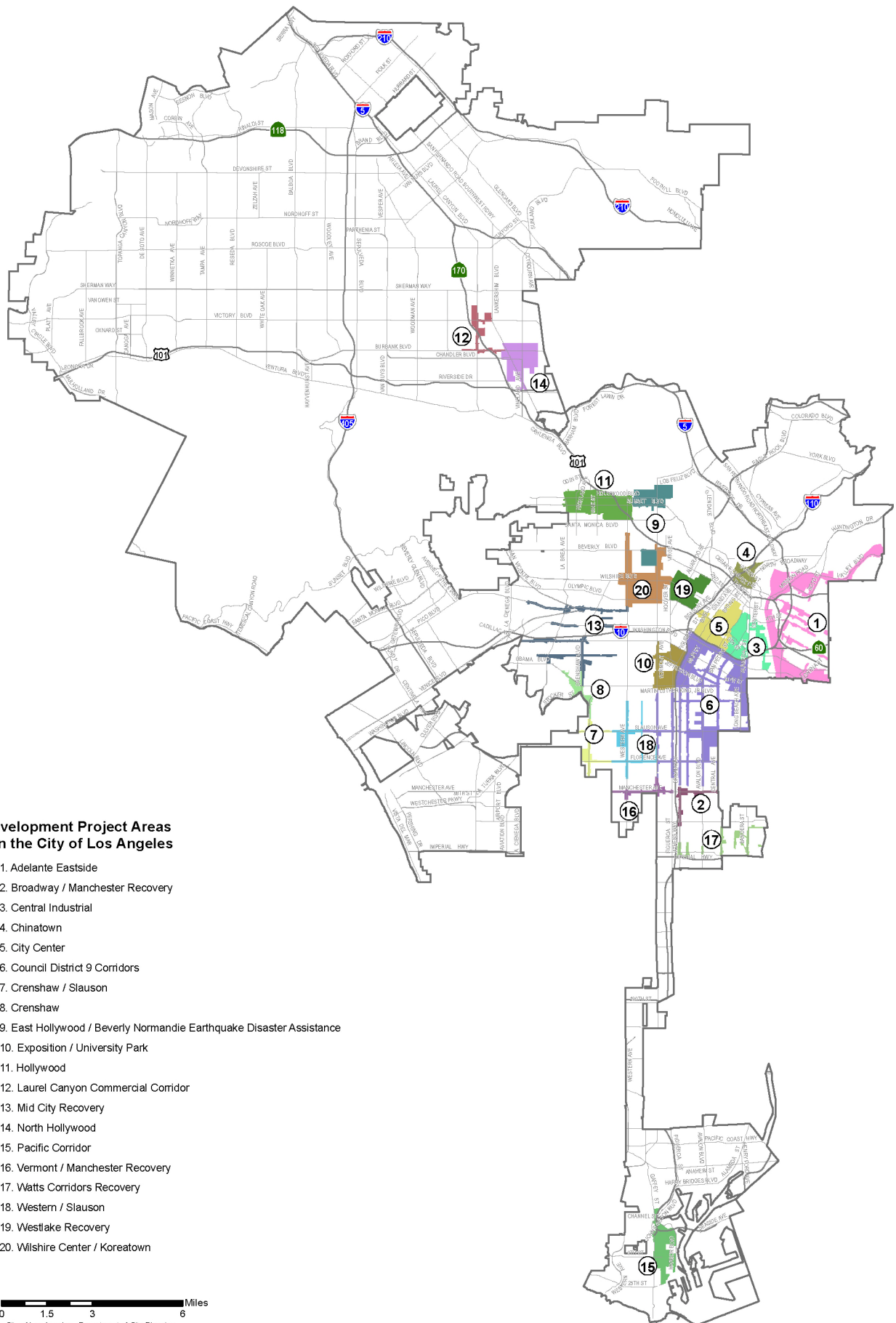
By \_\_\_\_\_  
Deputy City Attorney

Date \_\_\_\_\_

**Exhibit C:**  
**Map of Unexpired Redevelopment Project Areas**

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**Case No.:**  
CPC-2018-6005-CA



# Redevelopment Project Areas within the City of Los Angeles

- 1. Adelante Eastside
- 2. Broadway / Manchester Recovery
- 3. Central Industrial
- 4. Chinatown
- 5. City Center
- 6. Council District 9 Corridors
- 7. Crenshaw / Slauson
- 8. Crenshaw
- 9. East Hollywood / Beverly Normandie Earthquake Disaster Assistance
- 10. Exposition / University Park
- 11. Hollywood
- 12. Laurel Canyon Commercial Corridor
- 13. Mid City Recovery
- 14. North Hollywood
- 15. Pacific Corridor
- 16. Vermont / Manchester Recovery
- 17. Watts Corridors Recovery
- 18. Western / Slauson
- 19. Westlake Recovery
- 20. Wilshire Center / Koreatown

**Exhibit D:**  
**Environmental Clearance (ENV-2018-6006-CE)**

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**Case No.:**  
CPC-2018-6005-CA

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY : **City of Los Angeles Department of City Planning**COUNCIL DISTRICT: **1,2,4,8,9,10,13,14,15**

PROJECT TITLE: Resolution to Transfer the Land Use Authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority to the City of Los Angeles and Associated Code Amendment

LOG REFERENCE

**CPC-2018-6005-CA; ENV-2018-6006-CE**

PROJECT LOCATION: The Project Location consists of the 20 unexpired Redevelopment Project Areas located throughout the City. The 20 unexpired Redevelopment Project Areas are: East Hollywood/Beverly-Normandie, North Hollywood, Chinatown, Broadway/Manchester, Wilshire/Koreatown, Crenshaw, Crenshaw/Slauson, Watts Corridor, Council District 9, Hollywood, Mid-City, Western Slauson, Vermont/Manchester, Laurel Canyon, Westlake, Exposition/University Park, Adelante Eastside, Pacific Corridor, City Center, and Central Industrial.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The proposed Project is a resolution transferring land use authority and an ordinance amending the Los Angeles Municipal Code to facilitate the transfer of land use authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA) to the City of Los Angeles ("Project"). The Project includes a code amendment to establish procedures similar to specific plan procedures for the implementation of unexpired Redevelopment Plans and to update other relevant code provisions, including references to the former Community Redevelopment Agency in the Los Angeles Municipal Code (Chapter 1). The proposed Project, by itself, does not propose or authorize new development or construction activity.

The land use transfer will authorize the Department of City Planning to administer the remaining 20 unexpired Redevelopment Plans and will consolidate project review in redevelopment project areas within a single entity in the City. The intent is to ensure continuity of land use controls that exist within unexpired Redevelopment Plans.

Consolidation of the land use authorities and amendments to the Los Angeles Municipal Code (LAMC) will facilitate the wind down of the CRA/LA-DLA pursuant to Assembly Bill (AB)X1 26 (which dissolved redevelopment agencies) and streamline development review processes within the Redevelopment Project Areas.

This action does not change or amend any land use provisions of any of the existing unexpired Redevelopment Plans or adopted Designs for Developments or Design Guidelines (DFDs).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON

Giselle Corella

AREA CODE

213

TELEPHONE NUMBER

978-1357

EXT.

EXEMPT STATUS: (Check One)

- ☐ MINISTERIAL  
☐ DECLARED EMERGENCY  
☐ EMERGENCY PROJECT  
☒ CATEGORICAL EXEMPTION

## STATE CEQA GUIDELINES

- ☐ Sec. 15268  
☐ Sec. 15269  
☐ Sec. 15269 (b) & (c)  
☐ Sec. 15308 *et seq.*

## CITY CEQA GUIDELINES

- ☐ Art. II, Sec. 2b  
☐ Art. II, Sec. 2a (1)  
☐ Art. II, Sec. 2a (2) & (3)  
☐ Art. II, Sec. 2

Section 15378(b)(5): Organizational or administrative activities that will not result in direct or indirect physical changes in the environment.

Class 8 Category: Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment, Sec. 15308

Class 20 Category: Local government reorganizations requiring no changes in the areas where previous powers were exercised, such as the establishment of subsidiary districts, consolidations, and mergers, Sec. 15320

- ☐ OTHER: (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION: After a review of the whole of the administrative record, we find none of the exceptions in CEQA Guidelines Sec. 15300.2 apply. See attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE:



TITLE:

City Planning Associate

DATE

12/10/2018

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record Rev. 11-1-03 Rev. 1-31-06

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

### **NARRATIVE, ENV-2018-6006-CE**

#### **Project Description**

The proposed Project is a resolution transferring land use authority and an ordinance amending the Los Angeles Municipal Code to facilitate the transfer of land use authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA) to the City of Los Angeles ("Project"). The Project includes a code amendment to establish procedures similar to specific plan procedures for the implementation of unexpired Redevelopment Plans and to update other relevant code provisions, including references to the former Community Redevelopment Agency in the Los Angeles Municipal Code (Chapter 1). The proposed Project, by itself, does not propose or authorize new development or construction activity.

The land use transfer will authorize the Department of City Planning to administer the remaining 20 unexpired Redevelopment Plans and will consolidate project review in redevelopment project areas within a single entity in the City. The intent is to ensure continuity of land use controls that exist within unexpired Redevelopment Plans.

Consolidation of the land use authorities and amendments to the Los Angeles Municipal Code (LAMC) will facilitate the wind down of the CRA/LA-DLA pursuant to Assembly Bill (AB)X1 26 (which dissolved redevelopment agencies) and streamline development review processes within the Redevelopment Project Areas.

This action does not change or amend any land use provisions of any of the existing unexpired Redevelopment Plans or adopted Designs for Developments or Design Guidelines (DFDs).

#### **State CEQA Guidelines Section 15378**

CEQA Guidelines Section 15378, explicitly defines what is considered a "Project" under CEQA. Pursuant to Section 15378(b)(5) of the California Public Resources Code, the proposed actions are not considered a Project under CEQA. The proposed actions related to the transfer of land use authority and the proposed ordinance, by themselves, only involve the organizational and administrative activities of governments and will not result in direct or indirect physical changes in the environment.

The dissolution of the former Community Redevelopment Agency of the City of Los Angeles (CRA/LA) under ABX1 26 took effect on February 1, 2012, immediately following the California Supreme Court decision regarding the dissolution of redevelopment agencies in California. The City did not elect to become the successor agency for the former CRA/LA, as a result, the Governor appointed a three-member governing board as the Designated Local Authority (CRA/LA-DLA) to wind down the operations of the former CRA/LA. Although ABX1 26 dissolved redevelopment agencies, it did not abolish the existing Redevelopment Project Areas or eliminate the Redevelopment Plans, which contain land use related plans and functions.

Follow up legislation to dissolution law, AB1484 further allows cities to assume the redevelopment plans and land use functions. The CRA/LA-DLA currently administers the implementation of the



Redevelopment Plans for the various Redevelopment Project Areas throughout the City. However, the primary role of the CRA/LA-DLA pursuant to ABX1 26, is to wind down its operations by making payments on enforceable obligations and disposing of redevelopment agency assets, among other financial responsibilities. The proposed actions transfer the CRA/LA-DLA's role of administering the Redevelopment Plans to the City and the amendments to the LAMC identify procedurally and organizationally how the Redevelopment Plans are to be implemented once transferred. Currently, development projects located within Redevelopment Project Areas are reviewed by both the City and CRA/LA-DLA, with the City providing the final approval for any planning entitlement or building permit. As the CRA/LA-DLA has continued to implement the Redevelopment Plans as the former CRA/LA did, transfer of the land use authority to the City will not affect existing practice of implementing the existing Redevelopment Plans pursuant to State Law, and therefore, it is not reasonably foreseeable that a direct or indirect physical change in the environment will occur.

Although the proposed actions primarily involve an organizational and administrative activity, which is not considered a Project under CEQA, the proposed actions also meet the requirements of the Class 8 and Class 20 Categorical Exemptions pursuant to CEQA Guidelines Sections 15308 and 15320, respectively. Described in the following sections are justifications for the use of the Class 8 and Class 20 Categorical Exemptions should the proposed ordinance be considered a Project under CEQA.

#### **State CEQA Guidelines Section 15308, Class 8**

CEQA Guidelines section 15308 establishes a categorical exemption for "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment whether regulatory process involves procedures for protection of the environment (CEQA Guidelines, section 15308)."

As stated above, the transfer of land use authority and adoption of the proposed ordinance is exempt per CEQA Guidelines Section 15308, as the proposed resolution is limited to transferring the land use authority of CRA/LA-DLA to the City and the proposed ordinance is limited to establishing procedures and revising certain LAMC sections to facilitate the administration and implementation of the land use related plans and functions of the CRA/LA-DLA by the City. Upon adoption of the proposed ordinance and transfer of land use authority by resolution, projects will require review by the City rather than the CRA/LA-DLA for conformity with the Redevelopment Plans. The Redevelopment Plans contain provisions that generally require an additional level of review for conformance with the Redevelopment Plan and actions would ensure continued implementation of unexpired Redevelopment Plans, thus, would continue to provide additional protection to the environment of the Project Areas. Some development regulations requiring an additional level of review and conformance findings include: floor area ratios (FAR), building height, and prohibition of certain land uses, which would continue to further protect the environment. The transfer of these land use related plans and functions does not authorize development or construction activities, but creates a mechanism to continue to implement additional development restrictions on future development and construction in the Redevelopment Project Areas. Additionally, existing regulations that are protective of the environment would continue to be implemented by the City in a manner that is similar to the process used by the CRA/LA-DLA.

**State CEQA Guidelines Section 15320, Class 20**

CEQA Guidelines Section 15320 establishes a categorical exemption for “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; (c) merger with a city of a district lying entirely within the boundaries of the city (CEQA Guidelines, section 15320).”

As stated above, the adoption of the proposed resolution transferring the land use authority of the CRA/LA-DLA to the City and proposed ordinance establishing procedures for the implementation of the land use related plans and functions and associated code amendments to the LAMC to facilitate the transfer, is exempt per CEQA Guidelines Section 15320. The proposed resolution and ordinance does not authorize or expand any new development or construction activities, but primarily consolidates the local control over land use policy to a single government agency, the City of Los Angeles. Upon adoption of the proposed ordinance and transfer of land use authority by resolution, development projects will be reviewed by the City rather than the CRA/LA-DLA for conformity with the Redevelopment Plans.

**CEQA Section 15300.2 Exceptions to Categorical Exemptions**

As explained below, the Project does not satisfy the criteria for exceptions to Categorical Exemptions in the application of Section 15308, Class 8 and Section 15320, Class 20 of the State CEQA Guidelines:

**Exceptions to Exemptions**

The State California Environmental Quality Act (CEQA) Guidelines section 15300.2 outlines five exceptions to the use of a Categorical Exemption:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

Classes 3, 4, 5, 6 and 11 are not being considered. The Project does not propose or authorize any development/construction activities, or expand any new or existing land uses. The proposed ordinance is limited to establishing procedures for the implementation of the Redevelopment Plans within the LAMC and updating relevant LAMC sections referencing the CRA/LA. The 20 unexpired Redevelopment Project Areas (“Project Area”) consists of various neighborhoods throughout the City typically located in an urbanized area and is not proposing or authorizing development to be located in a sensitive environmental resource of hazardous or critical concern where it has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Pursuant to State Redevelopment law, Redevelopment Project Areas were created specifically for the purpose of protecting and revitalizing blighted communities. Future development projects would be evaluated case by case should they be located in a Redevelopment Project Area with a sensitive environmental resource of hazardous or critical concern, therefore, this exception does not apply.



*(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The Project, which transfers the land use authority of the CRA/LA-DLA to the City, establishes procedures for the implementation of the Redevelopment Plans within the LAMC and updates relevant sections of the LAMC referencing the CRA/LA, by themselves, does not propose or authorize any development or construction activities. Additionally, the proposed Project itself, does not change any land uses, increase any building heights, densities or intensities. The proposed Project will consolidate the land use authority of the CRA/LA-DLA with the City. Pursuant to ABX1 26, redevelopment agencies officially dissolved, however, it did not eliminate the land use regulations of the former CRA/LA's Redevelopment Plans. Currently, development projects located within a Redevelopment Project Area are subject to review by both the CRA/LA-DLA and the City. Since ABX1 26, the primary role of the CRA/LA-DLA has been to wind down its operations by performing activities related to enforceable obligations such as disposing of its assets, payments of bonds and loans. As such, the CRA/LA-DLA's capacity to implement the land use related plans and functions continues to be limited. Consolidation of land use authority would facilitate the CRA/LA-DLA's wind down pursuant to ABX1 26 and streamline the process for future development ensuring continuity in the implementation of the land use provisions of the Redevelopment Plans.

Therefore, the transfer of related land use plans and functions and associated amendments to the LAMC is not expected to generate cumulative impacts. The Project does not promote or incentivize new development as the proposed resolution and ordinance serves to retain the City's local control over land use policy within its City boundaries. Therefore, an accumulation of similar ordinances to this effect would serve only to further reduce potential adverse environmental impacts by continuing to implement the Redevelopment Plan's regulations and reducing any conflicts from a dual regulatory review process. Therefore, this exception does not apply.

*(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

There are no unusual circumstances that would create the reasonable possibility that the activity would have a significant effect on the environment. The Project does not authorize or expand any new development or construction activities, but instead transfers the land use authority of the CRA/LA-DLA to the City and facilitates that transfer by amending the LAMC to establish procedures for implementing the Redevelopment Plans and updating relevant LAMC sections. The related land use plans and functions currently require additional levels of review to ensure that projects are compatible with existing development and in conformance with the Redevelopment Plans. The Project does not generally increase building heights, FAR or densities. The land use related plans in some instances limit the building heights, FAR, and densities relative to the underlying zone as designated by the City. Only through an applicable discretionary review process will individual projects be able to increase building heights, FAR, or density. Consistent with existing codified processes and procedures, the proposed Project mainly serves to consolidate the land use authority of the CRA/LA-DLA to the City and amend the LAMC to facilitate the implementation of the Redevelopment Plans. Therefore, the Project will not foreseeably result in a significant impact to the environment as described in the previous sections, this exception does not apply.

- (d) *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The Project Area consisting of the 20 Redevelopment Project Areas are located in multiple neighborhoods and Community Plan areas. Currently, there are portions of two state scenic highways officially designated by the California Department of Transportation (Caltrans) within the City of Los Angeles; a portion of the Pasadena Freeway (also known as the Arroyo Seco Historic Parkway) and a portion of the Topanga State Scenic Highway. The Project by itself, does not propose or authorize new development or construction, therefore, it will not result in damage to scenic resources and is reasonably expected to ensure continuity in protecting potential damage to scenic resources. Therefore, this exception does not apply.

- (e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The Project does not authorize or expand any new development or construction activities, but instead is limited to transferring the land use authority of the CRA/LA-DLA to the City, establishing procedures for the implementation of the Redevelopment Plans and updating other relevant LAMC sections. Generally, the land use related plans of the CRA/LA-DLA require additional levels of review to ensure that projects are compatible with existing development and in conformance with the Redevelopment Plans. The Project does not specifically result in the development of a site and no specific development is proposed, thus, the proposed ordinance would not disturb any sites and create a hazard to the public or the environment.

It is considered unlikely that the Project would cause any impact causing a significant risk to the public. Any future development that occurs in the Project Area would be required to comply with existing regulations related to hazardous materials, therefore, this exception does not apply.

- (f) *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The Project will not cause a substantial adverse change in the significance of a historical resource, as the Project does not propose or authorize any development/construction activities. The Project instead is limited to transferring the land use authority of the CRA/LA-DLA to the City, establishing procedures for the implementation of the Redevelopment Plans and updating other relevant LAMC sections. It does not significantly change any land uses nor increase densities or intensities. The proposed resolution and ordinance does not propose any regulations which would create greater impacts to these resources.

There are Historic Resources located within the Redevelopment Project Areas which may be designated Historic Cultural Monuments (HCM) located within the various Redevelopment Project Areas throughout the City. Currently, any projects which have a designated HCM or Historic Resource on site need to comply with the existing regulations, processes and procedures for any demolitions, alterations, and/or additions to the building. This practice would continue upon transfer of land use authority. Future projects would need to continue to comply with the regulations of the applicable Redevelopment Plan and other applicable ordinances and provisions

of the LAMC. The Project, by itself does not propose or authorize any development, but seeks to consolidate the land use authority of the CRA/LA-DLA with the City. Therefore and consequently, the Project could not reasonably create greater impacts to the integrity of historic resources, this exception does not apply.

Therefore, the Project does not meet any of the exceptions as specified by CEQA Guidelines, Section 15300.2 and thus the Project qualifies for the above stated exemptions per CEQA.