

ORDINANCE NO. _____

An ordinance adding Sections 11.13 and 11.5.14 and amending Sections 11.5.9, 11.5.10, 12.04, 12.22, 12.24, 16.05, 16.11 and 19.01 of the Los Angeles Municipal Code (LAMC) to effectuate the transfer of land use related plans and functions of the former local Community Redevelopment Agency (CRA) to the City of Los Angeles pursuant to California Health and Safety Code Section 34173(i).

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

Section 1. Section 11.13 is added to Article 1 of Chapter 1 of 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 this ordinance, the City shall review and take action regarding any Redevelopment Plan Amendment or land use approval or entitlement pursuant to Section 11.5.14 and other applicable provisions of this Code. Notwithstanding any contrary provision of this Code, 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, CRA/LA-DLA shall have no further authority or responsibility to perform related land use functions including, but not limited to: preparing staff reports pertaining to land use decisions; making findings; making interpretations; imposing conditions; making recommendations; reviewing, granting or denying land use approvals or entitlements; hearing appeals; and/or amending Redevelopment Regulations.

Sec. 2. Subsection C of Section 11.5.9 of Article 1.5 of Chapter 1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

C. **Code Sections.** This section applies to applications filed pursuant to Sections 11.5.6, 11.5.7, 11.5.14, 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, 12.50, 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.

Sec. 3. Subsection C of Section 11.5.10 of Article 1.5 of Chapter 1 of the Los Angeles Municipal Code is amended in its entirety 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, 11.5.14, 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, 12.50, 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.

Sec. 4. Section 11.5.14 is added to Article 1.5 of Chapter 1 of the Los Angeles Municipal Code to read as follows:

SEC.11.5.14. 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 Redevelopment Plan Amendments in accordance with applicable provisions of the Charter, this Code, City ordinances, state law, 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 chapter, 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 where 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.

“Historic Resource” shall mean designated or surveyed resources including properties listed in or formally determined eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, locally designated Historic-Cultural Monuments (HCMs) and Historic Preservation Overlay Zones (HPOZs); and properties identified as significant per eligibility criteria in SurveyLA and the Community Redevelopment Agency surveys or any subsequent City sanctioned or accepted surveys.

“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.

“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 Exposition/University Park Redevelopment Plan, as adopted by Ordinance No. 131,730, and as amended; (x) the Hollywood Redevelopment Plan, as adopted by Ordinance No. 175,236, and as amended; (xi) the Laurel Canyon Commercial Corridor Redevelopment Plan, as adopted by Ordinance No. 180,695, and as amended; (xii) the Mid-City Redevelopment Plan, as adopted by Ordinance No. 171,064, and as amended; (xiii) the North Hollywood Redevelopment Plan, as adopted by Ordinance No. 171,745, and as amended; (xiv) the Pacific Corridor Redevelopment Plan, as adopted by Ordinance No. 174,549, and as amended; (xv) the Vermont/Manchester Redevelopment Plan, as adopted by Ordinance No. 171,065, and as amended; (xvi) the Watts Corridors Redevelopment Plan, as adopted by Ordinance No. 170,769 and as amended; (xvii) the Western/Slauson Redevelopment Plan, as adopted by Ordinance No. 171,063, and as amended; (xviii) the Westlake Redevelopment Plan, as adopted by Ordinance No. 172,597, and as amended; and (xix) 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 this ordinance.

“Redevelopment Plan Project” shall mean any proposed development 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. A Redevelopment Plan Project shall not include activity that consists solely of interior remodeling, interior rehabilitation or interior repair work. Notwithstanding the forgoing, the following types of projects shall be considered a Redevelopment Plan Project: (i) development activity involving an Historic Resource, including any interior remodeling, interior rehabilitation, or interior repair work that affects the exterior; and/or (ii) development activity 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, including any interior remodeling, interior rehabilitation or interior repair work that may result in the loss of a dwelling unit.

“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” as these terms are used in each Redevelopment Plan and is a decision by the Director that a Redevelopment Plan Project substantially complies with the relevant Redevelopment Regulations except for a minor deviation therefrom, either as submitted or with conditions imposed to achieve substantial compliance with the applicable Redevelopment Regulations.

“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 Regulations” shall mean all the land use provisions of the Redevelopment Plans and design for development guidelines adopted pursuant to such Redevelopment Plans that govern land use or development that

were transferred to the City pursuant to California Health and Safety Code Section 34173(i).

“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 still in effect on 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, including applications for Redevelopment Plan Project Administrative Review, Project Compliance, and Modification of Entitlement for a Redevelopment Plan Project 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) 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.

(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.**

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. Nothing herein shall be construed to prohibit the Director or the Director's designee from promulgating administrative guidelines to interpret and implement the Redevelopment Regulations.

3. **Notice and Hearing.** Notice shall be given and public hearings shall be held as required by the LAMC.

4. **Review Procedures for Redevelopment Plan Project Administrative Review.**

(a) **Eligibility.** 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 any project involving construction that consists of interior remodeling, interior rehabilitation or interior repair work that results in the loss of Dwelling Units shall not be eligible for an administrative review. Projects that do not qualify for a Redevelopment Plan Project Administrative Review may apply for a Redevelopment Plan Project Compliance or a Redevelopment Plan Project Adjustment.

(b) **Initiation.** A Project Administrative Review is initiated by filing an application with the Department of City Planning or by following the LAMC's procedures to obtain a building permit.

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

(d) **Clearance.** Clearance shall be issued pursuant to the applicable ordinance or building permit requirement.

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

(f) **Scope of Action.** Once a project's Administrative Review is complete, any subsequent development activity (including but not limited to the erection, enlargement or maintenance of buildings, development or construction work, and issuance of a grading, building or change of use permit) shall comply with the plans approved by the Department of City Planning in the Administrative Review for the project

(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 this subdivision.

5. **Review Procedures for Redevelopment Plan Project Compliance.**

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

(b) **Notice of Public Hearing.** The Director shall provide notice as required by the LAMC.

(c) **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 or other CEQA document is required, the date the EIR or other CEQA document is certified or adopted.

(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 (when 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 for notice with the City Planning Department.

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

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

(2) Is subject to all conditions required by the relevant Redevelopment Regulations; and

(3) Complies with CEQA; and

(4) Any other findings that are required in the relevant Redevelopment Plan.

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

(f) **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.

(g) **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.

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

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

(iii) The decision to approve or deny an appeal must contain the same findings required by the original decision maker, supported by substantial evidence.

(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 not be upheld.

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

(5) **Time Limits for Appeal.** Appeals must be filed within 15 days after the date on the letter of determination to the applicant.

(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 transmits 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.

(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 with the project applicant to another date if there is cause to do so. No notice of continuance need be given if the continuance is announced at a public meeting at the time for which the hearing was originally set.

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

(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, including any additional CEQA analysis, the hearing may be continued by mutual agreement with the project applicant. The appellate body shall provide notice of the continued hearing before such hearing is held. The time period required for additional notice is at least the time required for posted notice on the original application.

(vii) The appellate body shall hear the matter de novo. It may take additional evidence, and shall base its decision on the record before it. In making its decision, the appellate body shall make the same findings as required by the initial decision maker, supported by substantial evidence.

(7) **Modification of Entitlement.** A Project Compliance may be modified pursuant to Subdivision 6 below.

6. **Modification of Entitlement for a Redevelopment Plan Project**

(a) **Applicability.**

(1) **Original Action.** This subdivision applies to the modification of a previously approved entitlement (referred to in this subdivision as the "original action") that substantially conforms to the original approval.

(2) **Modification.**

(i) For purposes of this subdivision, 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" and "variations" as those terms are used in the Redevelopment Plans) to exceed the maximum deviation allowed by the relevant Redevelopment Plan or LAMC.

(3) **Maximum Deviation.**

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

(ii) Any modification that 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 Subparagraph 3 (Maximum Deviation) above requires a new project application.

(b) **Initiation.**

(1) A 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 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 decision maker on a Modification of Entitlement is the initial decision maker on the original action. In the event that the initial decision maker was the CRA, the Director of Planning shall be the decision maker.

(ii) If the original action was subject to multiple approvals, the initial decision maker is the initial decision maker assigned pursuant to Section 12.36 (Multiple Approvals).

(iii) If the original action was subject to an appeal, the decision maker on the Modification of Entitlement is the appellate body on the original action.

(2) **Public Hearing.** The initial decision maker may conduct a public hearing after providing the notice required Section 11.5.14 D.6(c) (Notice of Public Hearing) above. A hearing need not be held if the initial decision maker makes a written finding that the requested Modification of Entitlement:

(i) will not have a significant effect on adjoining properties or on the immediate neighborhood; or

(ii) is not likely to evoke public controversy.

(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 as allowed by the regulations governing 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 notice with the Department of City Planning.

(e) **Standard of Review and Required Findings.**

(1) A 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 application for Modification of Entitlement is for only a portion of a development project, the decision maker's review and decision shall be limited to only that portion of the project. However, the decision maker may consider the entire project to the extent that the approved project and the portion for which the Modification of Entitlement is requested are indistinct.

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

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

7. Review Procedures for Redevelopment Plan Project Adjustment.

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

(b) **Notice of Public Hearing.** The Director shall provide any notice required by the LAMC.

(c) **Decision.**

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

(2) **Time Limit.**

(i) 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 (when 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 to receive notice with the City Planning Department.

(d) **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 for variations and minor variations, as required by the applicable Redevelopment Plan, are met.

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

(f) **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 an appeal, the Area Planning Commission shall set the matter for hearing. The following notice is required for the public hearing on an appeal.

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

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

(iii) The decision to approve or deny an appeal must contain the same findings required by the original decision maker, supported by substantial evidence.

(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 not be upheld.

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

(5) Time Limits for Appeal. Appeals must be filed within 15 days after the date on the letter of determination to the applicant.

(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 transmits 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.

(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 with the project applicant to another date if there is cause to do so. No notice of continuance need be given if the continuance is announced at a public meeting at the time for which the hearing was originally set.

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

(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, including any additional CEQA analysis, the hearing may be continued by mutual agreement with the project applicant. The appellate body shall provide notice of the continued hearing before such hearing is held. The time period required for additional notice is at least the time required for posted notice on the original application.

(vii) The appellate body shall hear the matter de novo. It may take additional evidence, and shall base its decision on the record before it. In making its decision, the appellate body shall make the same findings as required by the initial decision maker, supported by substantial evidence.

(g) The decision of the appellate body is final.

(h) **Modification of Entitlement.** No modification is available.

8. **Initiation of Redevelopment Plan Amendment(s).** The City Council, the City Planning Commission or the Director of Planning may initiate consideration of an amendment to any a Redevelopment Plan, subject to the requirements and limitations of the Charter and state law. The fee for a Redevelopment Plan Amendment shall be as set forth in Section 19.01 G of this Code.

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.

Sec. 5. Subsection E of Section 12.04 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

E. The boundaries of Redevelopment Project Areas, as geographically defined in Section 12.21.3 and 11.5.14 and as specifically designated on Map 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.**”

Sec. 6. Paragraph (b) of Subdivision 30 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended in its entirety 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 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.

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

(a) No yard requirements shall apply except as required by the Downtown Design Guide as 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

Sec. 8. 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:

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

Sec. 9. 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:

Economic Assistance Areas means the existing geographically defined areas: State Enterprise Zones, Federal Empowerment Zone, Federal Renewal Community Zone, Redevelopment Project Areas with Unexpired Community Redevelopment Plans, and Earthquake Project Areas, and a one-mile buffer surrounding each of the above-identified zones, as identified by the Economic & Workforce 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 Economic & Workforce Development Department, and which may be amended from time to time.

Sec. 10. Paragraph (d) of Subdivision 14 of Subsection U of Section 12.24 of the Los Angeles Municipal Code is amended in its entirety 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 Economic & Workforce Development Department, a recommendation by the Economic & Workforce Development Department, 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 Economic & Workforce Development Department for review in conjunction with its application to the Department of Planning. The economic

impact analysis report shall be reviewed by the Department and/or a consultant, if deemed necessary by the Department and paid for in full by the applicant. The Economic & Workforce Development Department 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 Economic & Workforce Development Department, 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 Economic & Workforce Development Department, in accordance with the written procedures on file with the Department.

Sec. 11. Paragraph (c) of Subdivision 4 of Subsection V of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

(c) within a Redevelopment Project Plan Area, an Enterprise Zone or a Centers Study Area, as described in Sections 11.5.14, 12.21.4, and 12.21.5.

Sec. 12. Subdivision 7 of Subsection W of Section 12.24 of the Los Angeles Municipal Code is deleted.

Sec. 13. 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 Redevelopment Project Area, as that term is defined by Section 11.5.14, and when the uses conform to the provisions of the applicable Redevelopment Plan, as that term is defined by Section 11.5.14.

Sec. 14. Paragraph (e) of Subdivision (1) of Subsection C of Section 16.05 of the Los Angeles Municipal Code is deleted.

Sec. 15. Subdivision 3 of Subsection D of Section 16.05 of the Los Angeles Municipal Code is amended to read as follows:

3. Any development project located within the boundaries of a Redevelopment Project Area with an Unexpired Redevelopment Plan, as defined in Section 11.5.14, shall be exempt from site plan review when:

(a) The Community Redevelopment Agency of the City of Los Angeles (CRA) and the City Council 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 was considered during a public hearing prior to February 1, 2012, conducted in accordance with the CRA's adopted policies and procedures for public hearings.

Sec. 16. Paragraphs (a) and (b) of Subdivision 3 of Subsection G of Section 16.05 of the Los Angeles Municipal Code are amended to read as follows:

(a) The Director shall refer all completed applications for site plan review to affected City departments for their review and report. Responses shall be returned within fifteen (15) days after receipt, or such other period agreed to by the Director and the affected 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 fifteen (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, 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 fifteen (15) days prior to the date of the hearing.

Sec. 17. Subsection A of Section 16.11 of the Los Angeles Municipal code is amended in its entirety 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 Housing & Community Investment Department; and

The Director of the Bureau of Sanitation of the Department of Public Works.

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.

Sec. 18. Subsection G of Section 19.01 of the Los Angeles Municipal code is amended in its entirety to read as follows:

G. Commission or Director Approvals.

| Type of Application | Fee* |
|--|----------|
| Project Permit Compliance, Design Overlay Plan Approvals or other Director's Determination (DIR) cases - Minor (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$1,619 |
| Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Standard (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$4,326 |
| Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Standard (Single Family) (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$3,782 |
| Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Major (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$6,500 |
| Project Permit Compliance, Design Overlay Plan Approvals or other DIR cases - Major (Single Family) (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$6,500 |
| Project Permit Compliance with Design Review Board - Minor (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$2,842 |
| Project Permit Compliance with Design Review Board - Standard (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$6,500 |
| Project Permit Compliance and with Design Review Board - Standard (Single Family) (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$2,500 |
| Project Permit Compliance with Design Review Board - Major (Sections 11.5.7 and 11.5.14 and Article 3, Ch. 1) | \$8,403 |
| Project Permit Compliance and with Design Review Board - Major (Single Family) (Sections 11.5.7 and 11.5.14 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 (Sections 11.5.7 D. and 11.5.14) | \$4,482 |
| Project Permit Adjustment (Sections 11.5.7 E. and 11.5.14) | \$4,890 |
| Specific Plan Exception (Section 11.5.7 F.) | \$14,350 |

| | |
|--|----------|
| Specific Plan Amendment (Section 11.5.7), Redevelopment Plan Amendment (Section 11.5.14) | \$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.

Sec. 19. **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.

Sec. 20. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
ADRIENNE KHORASANEE
Deputy City Attorney

Date 9.5.19

File No. 13-1482-S3

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


VINCENT P. BERTONI, AICP
Director of Planning

Date 9-9-19

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____