



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 18 - 0079  
MAR 22 2018

**REPORT RE:**

**DRAFT ORDINANCE ESTABLISHING THE  
SAN PEDRO COMMUNITY PLAN IMPLEMENTATION OVERLAY**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 17-1044

Honorable Members:

This Office has prepared and now transmits for your consideration, approved as to form and legality, the enclosed draft ordinance establishing the San Pedro Community Plan Implementation Overlay District (San Pedro CPIO Ordinance).

Background

At its meetings on March 14, 2013, October 13, 2016, and August 10, 2017, the City Planning Commission (CPC) took actions to recommend the adoption of the San Pedro Community Plan Update, including the following three zoning ordinances: (1) a repeal of the existing Downtown San Pedro Community Design Overlay District; (2) amendments to the Zoning Map for zone and height district changes pursuant to Los Angeles Municipal Code (LAMC) Section 12.32; and (3) the creation of the San Pedro CPIO District pursuant to LAMC Section 13.14. On September 11, 2017, CPC transmitted its set of recommendations to the City Council.

On September 26, 2017, the Planning and Land Use Management Committee (PLUM) referred the draft San Pedro CPIO Ordinance to this Office for its review for form and legality. On October 4, 2017, the City Council adopted the San Pedro Community Plan Update, the Statement of Overriding Considerations, the Mitigation Monitoring Program, the PLUM Report, a Resolution relative to the San Pedro Community Plan Update, and certified the related Environmental Impact Report.

### Summary of Ordinance

The San Pedro CPIO Ordinance establishes the San Pedro CPIO District with the following 13 subareas: Regional Commercial Subarea; the Central Commercial Subareas A, B, C, D and E; the Coastal Commercial Subareas A and B; the Multi-Family Residential Subarea, and the Industrial Subareas A, B, C and D. The CPC's transmittal report to City Council dated September 11, 2017, includes the Department of City Planning's staff report, which provides a detailed description of the zoning regulations set forth in the San Pedro CPIO Ordinance.

Key provisions of the San Pedro CPIO Ordinance include zoning regulations that are supplemental to the regulations set forth in the City's Zoning Code. These regulations include use limitations, design and performance standards, and height and floor area ratio (FAR) standards and incentives for targeted uses. The design regulations and guidelines address pedestrian orientation, architectural compatibility, scale, and massing, as well as signage, open space, landscaping and parking.

The San Pedro CPIO Ordinance also includes two appendices: Appendix A - Environmental Standards; and Appendix B - Design Guidelines. The Environmental Standards are mitigation measures required in the Mitigation and Monitoring Program adopted for the San Pedro Community Plan EIR. The Design Guidelines help improve the visual appearance of Downtown San Pedro to produce a high-quality built environment that reflects San Pedro's unique historic, environmental, and architectural context. These Design Guidelines are recommended for use within all San Pedro CPIO District Subareas. However, none of the individual design guidelines included in Appendix B are mandatory or required in and of themselves as part of a CPIO Administrative Clearance.

### Charter Findings

Pursuant to Charter Section 559, the Director of Planning has approved the draft San Pedro CPIO ordinance on behalf of the City Planning Commission. Should the City Council adopt this ordinance, it may comply with the provisions of Charter Section 558 by either adopting the findings of the Director of Planning as set forth in his transmittal to the City Council or by making its own findings.

CEQA Determination

If the City Council wishes to adopt the draft ordinance, it must first comply with California Environmental Quality Act (CEQA). The Director of Planning recommends that the City Council find that the project was assessed in ENV-2009-1558-EIR, SCH No. 2008021004, certified by Council on October 4, 2017, and that the City Council find that pursuant to CEQA Guidelines Section 15162, based on the whole of the administrative record, that no subsequent EIR or negative declaration is required for approval of the project.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Bureau of Engineering, Bureau of Street Services, Department of Building and Safety, the Department of Transportation, and the Department of Water and Power with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Pariss Knox at (213) 978-8191. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:PAK  
Transmittal