

14-0568
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MOTION

The City of Los Angeles (City) has a longstanding Transfer of Floor Area Rights (TFAR) program in the Central City Community Plan area that allows unused air rights to be transferred from one site to another in order to promote City land use policy objectives. The program has enabled the development of the City's downtown skyline by allowing larger projects to be constructed on key sites with a corresponding reduction in development rights on other sites.

Article 4.5 of the Los Angeles Municipal Code (LAMC) regulates the process for approving such transfers of floor area, which require the approval of the City Planning Commission, City Council and Mayor. The former Community Redevelopment Agency of the City of Los Angeles (CRA) also had an important role in this program as part of the implementation of redevelopment plans. A major source of unused air rights for the TFAR program has been the site of the Los Angeles Convention Center (LACC), where CRA has had jurisdiction over certain portions of these air rights for many years, including real property rights on the LACC Expansion Site held through a Grant Deed dated July 17, 1989.

On January 7, 1988, the City granted CRA rights to 5.3 million square feet of credit floor area on the original LACC site through a Cooperation Agreement; approximately 1.3 million has been credited by the CRA for approved projects. The remaining 4.0 million square feet of TFAR from the Existing Site is no longer under the jurisdiction of CRA/LA as a result of the Redevelopment Dissolution Act, which limits the land use authority of the CRA/LA, A Designated Local Authority, and invalidated the Cooperation Agreement, as well as due to the expiration of the Central Business District Redevelopment Plan. CRA/LA continues its jurisdiction over approximately 2.5 million square feet of TFAR over the LACC expansion site that was reserved through a Grant Deed dated July 17, 1989, which transferred the Expansion Site from CRA to the City.

As part of the approval of any transfer of floor area rights, the LAMC requires that certain payments be made to the TFAR Public Benefit Payment Trust Fund. These payments include a TFAR Transfer Payment, pursuant to LAMC Section 14.5.10, whenever air rights are transferred from a site owned by the City or CRA/LA.

Under the Dissolution Act, CRA/LA must divest all of its real property assets, including the 2.5 million square feet of air rights at the LACC. The City has requested that control over these air rights be transferred to the City under the Retained for Future Development category, as allowed under the Dissolution Act and so identified in CRA/LA's Long Range Property Management Plan (LRPMP). The Dissolution Act requires that the Affected Taxing Entities, which include the City of Los Angeles, County of Los Angeles, Los Angeles Unified School District, and Community College District, receive compensation from the sale or transfer of CRA/LA assets if they are retained for future development by the City.

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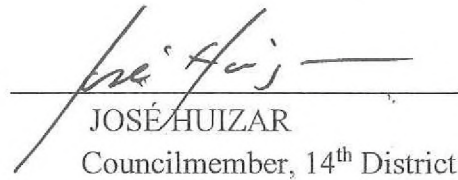
ORIGINAL

I THEREFORE MOVE that the City Council instruct and authorize the Department of Planning to accept, on behalf of the City, the transfer by grant deed of approximately 2.5 million square feet of Transferable Floor Area Rights (TFAR) located at the Los Angeles Convention Center (LACC) Expansion Site from the CRA/LA to the City.

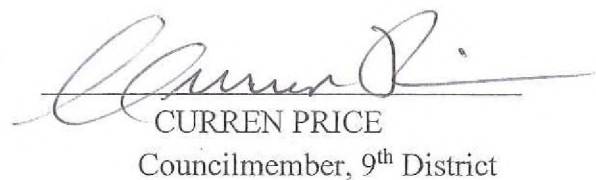
I FURTHER MOVE that the City Council instruct and authorize the Department of City Planning with the assistance of the CLA, City Attorney, and other departments as necessary to prepare and present revisions to the TFAR Ordinance including but not limited to revisions necessary to manage the sale of CRA/LA TFAR from the LACC Expansion Site, in the Retain for Future Development category, and to incorporate provisions for Transfer Payments made for this 2.5 million square feet of air rights to be set aside in a separate trust account with gross proceeds from this account remitted by the City to the CRA/LA as compensation for distribution to the Affected Taxing Entities.

I FURTHER MOVE that the Department of City Planning, CLA, City Attorney and other departments as necessary be further authorized to make any technical corrections or adjustments to these instructions in order to effectuate the intent of this Motion and/or other achieve additional results related to the TFAR Ordinance as instructed by the Council.

CO-PRESENTED BY:



JOSÉ HUIZAR
Councilmember, 14th District



CURREN PRICE
Councilmember, 9th District

SECONDED BY: