

EXHIBIT D: Proposed LAMC Technical Amendments

CPC-2013-0910-GPA-SP-CA-MSC

CF 15-0719

With proposed text edits as underlined.

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.37 and 17.05 of the Los Angeles Municipal Code and repealing previous ordinances establishing street designations for arterial streets and arterial street segments in order to implement modifications to the General Plan's Transportation Element.

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

Section 1. Those portions of any and all ordinances, including specific plans that establish street designations for any arterial street or arterial street segment are hereby repealed. Such designations shall be replaced by the designations set forth in the Citywide Circulation System Map located in Council File No. _____.

Sec. 2. The last sentence of the first paragraph of subsection A of Section 12.37 of the Los Angeles Municipal Code is amended to read:

As used in this section the Center/Control line of the highway or collector street shall mean the center of those highways or collector streets as are shown on the Citywide Circulation System Map of the Mobility Element of the General Plan or, with respect to collector streets, on the adopted community plans of the Land Use Element of the General Plan on file in the offices of the Department of City Planning.

Sec. 3. Paragraph 5 of subsection A of Section 12.37 of the Los Angeles Municipal Code is amended to read:

5. Regardless of the location of the Center/Control Line of the street and its distance from each abutting property, the maximum required dedication shall equal one half of the right of way standard street dimension minus one half of the existing right of way dimension.

Sec. 4. Subsection A of Section 12.37 of the Los Angeles Municipal Code is amended to add new subparagraphs 6 and 7 to read:

6. No dedication shall be required where the existing right of way is equal to or greater than the street standard, even where the improved sidewalk does not meet the standard dimension. This section does not require the narrowing of the existing roadway in order to widen the sidewalk to meet the standard.

7. Nothing herein shall preclude the decision maker on a discretionary entitlement from requiring a dedication or improvement greater than what is set forth in this section, if the decision maker determines that a greater dedication or improvement bears an essential nexus and rough proportionality to a project impact.

Sec. 5. Paragraph 3 of Subsection F of Section 12.37 of the Los Angeles Municipal Code is amended to read:

3. A nonrefundable fee of \$250 for processing waiver requests pursuant to the provisions of Subsection I. of this Section.

Sec. 6. Paragraph 4 of Subsection F of Section 12.37 of the Los Angeles Municipal Code is amended to read:

4. A nonrefundable fee of \$1,000 for processing appeals pursuant to the provisions of Subsection I. of this Section.

Sec. 7. Paragraph 1 of Subsection H of Section 12.37 of the Los Angeles Municipal Code is amended to read:

1. All major and secondary highways and all collector streets shall be constructed and improved in accordance with the standards adopted by the City Planning Commission pursuant to LAMC 17.05 B.

Sec. 8. Subsection I of Section 12.37 of the Los Angeles Municipal Code is amended to read:

I. Waivers And Appeals

1. This subdivision shall constitute the exclusive mechanism for waivers and appeals of dedication and improvement requirements under this section. Waivers of dedication or improvement requirements may not be granted by City Council motion.

2. **Waivers for by-right projects.** Any person seeking a waiver of this section's dedication or improvement requirements for a project that does not require a discretionary entitlement shall file an application for a waiver with the City Engineer.

a. **Notice.** Within five calendar days of the receipt of an application for a waiver, the Bureau of Engineering shall mail notice of the requested waiver to:

i. Owners of property across the street or alley from the subject property;

ii. Owners of property with frontage along the same street that has a common corner with or that abuts the subject property;

iii. Owners of property with frontage along the same street that has a common corner with or that abuts any properties listed in (i) and (ii) above;

iv. The Council member of the district where the subject property is located; and

v. The department of City Planning and Transportation.

b. **Findings.** The City Engineer may waive, reduce, or modify the required dedication or improvement as appropriate after making any of the following findings based on substantial evidence in the record:

i. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.

ii. The dedication or improvement is not necessary to meet the City's mobility needs for the next twenty years based on guidelines the Streets Standards Committee has established.

iii. The dedication or improvement requirement is impractical or will create an undue hardship.

c. **Written Determination.** The City Engineer shall issue a determination regarding the request within fifteen (15) working days of mailing of the notice described above, or within any additional period mutually agreed upon by the applicant and the City Engineer. The City Engineer shall mail the determination letter to the applicant, the General Manager of the Los Angeles Department of Transportation, and to all individuals to whom notice of the application was provided.

d. **Appeal.** Any person required to dedicate land or make improvements pursuant to this section may appeal the City Engineer's decision to the appropriate Area City Planning Commission. The appeal shall be filed within 15 days of the date of mailing of the City Engineer's determination letter. Such appeal shall be made in writing, shall be filed at the Department of City Planning's public counter, shall state in clear and concise language the grounds for the appeal, and shall be accompanied by a filing fee in the amount specified above.

i. Before acting on any appeal, the appropriate Area City Planning Commission shall set the matter for a hearing, giving at least 15 days' notice to the individuals identified in paragraph 3 above.

ii. On appeal, the appropriate Area City Planning Commission shall consider the waiver request de novo based on the findings set forth in subdivision 2.b. above. The appropriate Area City Planning Commission shall act to approve or deny the appeal within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the appropriate Area City Planning Commission.

3. **Waivers for discretionary projects.** For projects that require a discretionary entitlement, an applicant shall file a waiver request as part of the master land use application or subdivider's statement for the project. In such case, the decision maker for the discretionary entitlement shall process the waiver request pursuant to the procedures established for the discretionary entitlement, but may only grant a waiver after making one of the required findings set forth in subdivision 2.b. above. The waiver request must be set forth in the master land use application, and may not be raised for the first time at the hearing on the entitlement, or at any entitlement appeal hearing. The applicant may appeal the waiver determination pursuant to the same procedures that govern the entitlement, except in the case of projects that include a tentative map, the waiver determination is subject to only one level of appeal. On appeal, the decision maker shall consider the waiver request de novo based on the findings set forth in subdivision 2.b. above.

Sec. 9. Subsection A. of Section 17.05 of the Los Angeles Municipal Code is amended to read:

A. Street Standards Committee. There is hereby created a Street Standards Committee (Committee) to be composed of the Director of Planning, as Chair, the City Engineer and the General Manager of the Department of Transportation.

This Committee shall:

1. Recommend to the Commission minimum width and improvement standards for all classes of public and private streets and alleys. The Commission shall adopt such minimum width and improvement standards as it determines are necessary for the safe and adequate movement of pedestrians, bicyclists, transit service and vehicular traffic, the increased retention and detention of stormwater, the installation of necessary utilities and for reasonable and proper access to abutting properties. Such standards shall not be applicable to any street or alley for which the City Council, by ordinance, adopts specific standards.
2. Modify the Complete Street Design Guide (CSDG) on an as-needed basis to align the CSDG with current and innovative street design practice.

Sec. 10. Subsection B of Section 17.05 of the Los Angeles Municipal Code is amended to read:

B. Adoption Of Standards. All standards adopted by the Commission shall remain in effect for at least one year. A public hearing shall be conducted by the Commission prior to the approval of any change in the standards.

Sec. 11. Subdivision 1 of Subsection D of Section 17.05 of the Los Angeles Municipal Code is amended to read:

1. **Right of Way and Roadway Widths.** All streets and alleys shall be designed to conform with the Commission's adopted standards. Regardless of the location of the Center/Control Line of the street and its distance from each abutting property, the maximum required dedication shall equal one half of the right of way standard street dimension minus one half of the existing right of way dimension. No dedication shall be required where the existing right of way is equal to or greater than the street standard, even where the improved sidewalk does not meet the standard dimension. This section does not require the narrowing of the existing roadway in order to widen the sidewalk to meet the standard.

Sec. 12. Subdivisions 6 and 7 of Subsection D of Section 17.05 of the Los Angeles Municipal Code are amended to read:

6. **Intersections.** Street intersections shall be at as near to a right angle as possible. No jogs shall be allowed in the continuity of an arterial street. Jogs in a non-arterial street where crossing an arterial street shall be held to a minimum. Multiple intersections of more than four approaches should be avoided. In hillside areas special conditions may be required.

7. **Cul-de-sac Streets.** Cul-de-sac streets should be avoided except in locations where physical constraints prohibit the continuation of the street (such as where a river or railroad infrastructure is present) or where made necessary by historical development patterns. Where cul-de-sac streets are approved, they shall be terminated by a turning area conforming to the latest standards approved by the Commission. Where feasible, existing cul-de-sacs should be modified, and new cul-de-sacs should be designed to include a passageway for bicycles and pedestrians to access the surrounding area.

Sec. 13. Subsections E, F and G of Section 17.05 of the Los Angeles Municipal Code are amended to read:

E. Alleys.

1. Alleys shall be not less than 20 feet in width. Alleys serving industrial zones shall be 30 feet wide, unless otherwise approved by the Advisory

Agency. All dead-end alleys shall be constructed with adequate turning areas. Whenever practicable alleys shall be required at the rear of all lots that are in residential zone and that front an arterial street; alleys may also be required at the rear of lots in commercial and industrial zones.

2. **Alley Intersections.** Where two alleys intersect, a triangular corner cut-off of not less than ten feet along each alley line shall be provided.

F. Pedestrian Walks. If the Advisory Agency determines that inner-block pedestrian walks are necessary for the public health, safety or welfare they shall be dedicated to a width of not less than 12 feet. The Advisory Agency, however, shall only impose such a dedication requirement after finding that the dedication bears an essential nexus and rough proportionality to a project impact.

G. Blocks. Blocks in residentially and industrially zoned areas shall not exceed 1,700 feet in length, except in hilly areas. Commercial blocks shall not exceed 800 feet in length except in locations where the prevailing block length (within ½ mile) is less than 800 feet; in such instance the new block shall not exceed the average prevailing block length.

Sec. 14. 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 _____.

_____, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality
, City Attorney

By _____
MICHAEL J. BOSTROM
Deputy City Attorney

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

Date _____

October __, 2011

File No(s). _____

See attached report.

Michael LoGrande
Director of Planning