



MIKE FEUER
CITY ATTORNEY

REPORT NO. R 1 3 - 0 2 3 6

AUG 13 2013

REPORT RE:

**REVISED DRAFT ORDINANCE ESTABLISHING
THE JORDAN DOWNS URBAN VILLAGE SPECIFIC PLAN**

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. 13-0174
CPC File No. 2010-0031-SP-AD
ENV-2010-0032-EIR

Honorable Members:

This Office transmits to you for your consideration a revised draft ordinance, approved as to form and legality, that, if adopted, would establish the Jordan Downs Urban Village Specific Plan. The Jordan Downs Urban Village Specific Plan, which was attached to the draft ordinance previously transmitted to you on August 5, 2013 (City Attorney Report No. R12-0227), has not been modified and, therefore, is not being retransmitted along with this revised report. The revised draft ordinance is necessary to correct the statement indicating that the ordinance may be passed by a two-thirds vote. In fact, the required vote is a three-fourths due to the urgency clause contained in the ordinance.

Background

The draft ordinance would establish the Jordan Downs Urban Village Specific Plan, which relates to a portion of the Southeast Los Angeles Community Plan area. The Specific Plan area is generally bounded by Grape Street to the West, 103rd Street

to the South, Alameda Street to the East, and 97th Street to the North. This area is approximately 118 acres, a portion of which (comprising approximately 42 acres) is currently within the County of Los Angeles and is proposed to be annexed into the City of Los Angeles. It is anticipated that the Specific Plan area will be re-subdivided in a manner that is consistent with the subdivision envisioned in the Specific Plan. Such re-subdivision process has not been finalized.

Currently, the Jordan Downs community within the Specific Plan area contains 700 public housing units, which units were built between 1942 and 1955, and are owned and operated by the Housing Authority of the City of Los Angeles (HACLA).

In 2010, HACLA adopted a master plan for the redevelopment of the Jordan Downs community, calling for additional housing units, mixed-use development opportunities, a central park, and new street grids. Specifically, the master plan contemplates: (i) replacement of the existing 700 dwelling units, plus adding up to 1,100 new dwelling units, to be built in a variety of residential buildings types, for a total of up to 1,800 dwelling units; (ii) construction of new community facilities, including a family resource center and a gymnasium; (iii) development of up to 250,000 square feet of new commercial/office/retail space on seven acres of existing industrial land along the Alameda Street corridor, plus up to 20,000 gross square feet of community-serving retail and services in mixed-use buildings; and (iv) inclusion of a network of parks and open space totaling approximately 8.9 acres centered in and around a central park.

The Specific Plan is designed to accommodate the development envisioned in HACLA's master plan.

Summary of Ordinance Provisions

The Specific Plan sets forth seven new zones with the "UV" (Urban Village) designation (i.e., PF-UV zone, OS-UV zone, A1-UV zone, R3-UV zone, RAS3-UV zone, RAS4-UV zone, and CM-UV zone). Each of the new zones has its own standards and regulations. Three subareas and four height districts are also established within the Specific Plan area. In addition, specific provisions are included in the Specific Plan to regulate the quantity, design, and location of automotive parking spaces and on-site open space.

The City Planning Commission (CPC) and your Planning and Land Use Management (PLUM) Committee have reviewed a previous draft of the Specific Plan. After the CPC's review, and prior to your PLUM Committee's review, Atlas Iron and Metal Company (Atlas), which owns and operates certain manufacturing uses within the Specific Plan area, requested various changes to the Specific Plan. Essentially, Atlas requested less restrictive regulations for its existing manufacturing operations. At the same time, HACLA also requested various changes to the Specific Plan to provide flexibility for its contemplated redevelopment of the Jordan Downs community. Atlas' and HACLA's changes were specified in a document titled "Attachment C," which was submitted by the Department of City Planning on March 19, 2013. Your PLUM

Committee recommended approval of the Attachment C changes. Your Honorable Body approved them on April 17, 2013, at the same time you approved the General Plan amendment to change the street classification of a portion of Century Boulevard.

In addition to the above-mentioned Attachment C changes, as well as numerous formatting, wording, and technical changes, various modifications have been made to the draft Specific Plan that was reviewed by the CPC and your PLUM Committee. The following paragraphs highlight six significant conceptual changes:

- (1) Because a portion of the Specific Plan area has yet to be annexed into the City of Los Angeles, and because the land within the Specific Plan area has yet to be re-subdivided, language has been added to state that the rules and regulations established by the Specific Plan shall become applicable to property within the Specific Plan area immediately upon, and not before, the occurrence of both of the following: (i) the annexation process has been completed so that the entire Specific Plan area is within the City of Los Angeles; and (ii) the land within the Specific Plan area has been subdivided in a manner that correlates with the subdivision contemplated in the Specific Plan. Prior to the occurrence of those two events, the rules and regulations set forth in the Zoning Code shall be applicable to property within the Specific Plan area within the City limits.
- (2) Certain sections relating to building typologies, design standards, building standards, architectural details, site planning, open space standards, streets/mobility, and lighting that were previously included in the body of the Specific Plan have been removed and attached as Appendices A and B to the Specific Plan. Projects are required to comply with the spirit and intent of such appendices.
- (3) All provisions regulating signage that were previously included in the Specific Plan have been deleted. The following new provision has been added: "All signage within the Specific Plan area shall comply with the signage regulations set forth in the LAMC. Notwithstanding anything to the contrary, in addition to the sign types prohibited by the LAMC, the following types of signs are prohibited within the Specific Plan area: billboards; free-standing pole signs; banners; illuminated canopy signs; inflatable devices; feather signs, digital, flashing, animated, blinking, or scrolling signs or signs that appear to have any movement; canister wall or canister blade signs; and signs with pliable vinyl letters."
- (4) Language has been added to indicate that uses permitted in each of the new zones of the Specific Plan include all those uses permitted in the underlying zone of the Zoning Code. For example, in addition to those permitted uses listed in the Specific Plan for the new R3-UV Zone, all permitted uses in the regular R3 Zone are permitted in the new R3-UV Zone.

- (5) The format of the Specific Plan ordinance has been modified. Previously, the entire Specific Plan, itself, constituted the ordinance. Now, the Specific Plan is an attachment to the ordinance that establishes the Specific Plan.
- (6) All bicycle parking requirements have been deleted in light of the adoption of the Bicycle Parking Ordinance.

The current draft of the Specific Plan, previously transmitted, contains all of the changes mentioned above. Since the current draft substantially deviates from the previous draft reviewed and approved by the CPC, the Specific Plan before you has been disapproved by the Director of Planning on July 31, 2013, on behalf of the CPC and would, accordingly, require approval by a vote of not less than two-thirds of the members of the City Council pursuant to Section 558(b)(3)(B) of the Los Angeles City Charter. However, as explained below, inclusion of the urgency clause requires adoption by a three-fourths vote of Council.

The implementation of the development contemplated in the Specific Plan to ensure public health and safety requires funding from a variety of local, state and federal sources, and it is essential that the ordinance take effect in time to accommodate the applications for those funding sources. The draft ordinance before you contains an urgency clause that makes the ordinance effective upon publication, pursuant to Section 253 of the Los Angeles City Charter. The inclusion of such urgency clause means that the ordinance must be passed by a three-fourths vote of the Council.

Findings

Should you adopt this ordinance, you may comply with the provisions of Charter Section 558 by either adopting the findings prepared by the Department of City Planning and recommended by the CPC in its January 30, 2013, written determination, or by making your own findings.

California Environmental Quality Act (CEQA)

If you wish to adopt the proposed ordinance, you must first comply with CEQA. You may do so by doing the following:

- (1) CERTIFY that the Environmental Impact Report (EIR) (EIR No. ENV-2010-0032-EIR; State Clearing House No. 2010021007) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project, that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council File No.13-0174 in the custody of the City Clerk and in the files of the

Department of City Planning in the custody of the Environmental Review Section; and ADOPT the EIR;

- (2) ADOPT the FINDINGS recommended by the Los Angeles City Planning Commission in its January 30, 2013, written determination, pursuant to and in accordance with Section 21081 of the Public Resources Code and the Statement of Overriding Considerations prepared by the Department of City Planning;
- (3) ADOPT the FINDINGS made pursuant to and in accordance with Section 21081.6 of the Public Resources Code concerning the Mitigation Monitoring and Reporting Program as the findings of City Council and ADOPT the Mitigation Monitoring and Reporting Program; and
- (4) ADOPT the FINDINGS recommended by the Los Angeles City Planning Commission in its January 30, 2013, written determination, including the Environmental Findings, as the Findings of the City Council.

If this ordinance is adopted, Department of City Planning staff should be directed to cause the filing of a Notice of Determination in accordance with State CEQA Guidelines Section 15075.

Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the draft ordinance was sent to the Department of Recreation and Parks, Department of Building and Safety, Department of Housing and Community Investment, and Department of Transportation, and they were asked to send any comments they have directly to you.

If you have any questions regarding this matter, please contact Deputy City Attorney Edward Young at (213) 978-8228. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE/EY:zra
Transmittal