



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R 23 - 0244

JUN 27 2023

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTIONS 64.70.01, 64.72, AND 64.72.05 OF  
ARTICLE 4.4, CHAPTER VI OF THE LOS ANGELES MUNICIPAL CODE TO  
UPDATE PROCESSES RELATED TO LOW IMPACT DEVELOPMENT AND  
STORMWATER APPROVAL FOR THE CONSTRUCTION OF HOUSING**

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

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. As part of an annual budget process request, the Department of Public Works, Bureau of Sanitation (LASAN) reported back on the resources and steps necessary to clear the backlog and expedite processes related to Low Impact Development (LID) and permit approval(s) related to stormwater management associated with the construction of housing. LASAN has evaluated its LID and approval processes for opportunities to improve customer service wait time and minimize impacts to the City's overall building permit issuance process for development projects, including residential projects.

In LASAN's November 3, 2022 report, LASAN explained that "[t]he [current] LID Ordinance establishes thresholds for development projects subject to LID requirements that are more stringent than what is required in the [Municipal Separate Storm Sewer System (MS4)] Permit. The projects that are not subject to MS4 Permit requirements but are regulated by the LID Ordinance are classified as Small Scale projects.

Annually, the LID Counter receives approximately 9,500 new projects, of which about 5,800 (61%) are Small Scale projects.” LASAN concludes that, with the proposed changes in the LID ordinance, a majority of residential land use projects – Small Scale projects – would no longer be subject to LID requirements.

To achieve the goals of expediting permit approvals and improving customer service, while fulfilling the City’s obligations under its MS4 Permit, the City Council requested this draft ordinance. This draft ordinance updates the LID program to conform to the scope and requirements for Development and Redevelopment projects under the MS4 Permit.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to LASAN and to the Department of Public Works, Bureau of Engineering, 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 Adena M. Hopenstand at (213) 978-8130. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By  VALERIE L. FLORES

Chief Assistant City Attorney

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Transmittal