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August 5, 2019

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**REPORT FROM DEPARTMENT OF CITY PLANNING REGARDING OPTIONS FOR
AMENDING THE WESTWOOD VILLAGE SPECIFIC PLAN; CF 18-1101**

On January 30, 2019, the City Council adopted a motion, introduced by Councilmember Paul Koretz, requesting the Department of City Planning (Department) to report back to City Council (Council) within 90 days with options for amending the Westwood Village Specific Plan (Specific Plan) in order to better support a mix of uses and reduce vacancies; specifically, the motion identifies three Specific Plan provisions to evaluate to promote a vibrant shopping district: (1) definitions of food-related establishments, (2) restrictions on the types and frequency of food-related establishments, and (3) parking requirements.

Background

The Westwood Village Specific Plan was initially adopted in 1973 (pursuant to Ordinance No. 145043) and applies to the area generally bounded by Le Conte Avenue to the north, Tiverton Avenue to the east, Lindbrook Avenue to the south, and Gayley Avenue to the west. The Specific Plan area is comprised of approximately 50 acres, and contains approximately 4,500 jobs and 1,400 residents. Additionally, the Specific Plan area is located adjacent to the University of California, Los Angeles ("UCLA") with nearly 46,000 students and 49,000 faculty and staff. Westwood Village is an important commercial and retail center serving the daily needs of

thousands of UCLA students and staff, workers along the Wilshire corridor, and those living in adjacent residential areas. A subway station will be constructed at Wilshire Blvd. and Westwood Blvd., just one block south of the Specific Plan boundary.

In an effort to maintain the pedestrian-oriented neighborhood character, the Specific Plan requires a Design Review Process for all projects. The Specific Plan requires the Design Review Board to make recommendations on the design of proposed projects based on design criteria; for example, that the building massing be in scale with cultural resources and the pedestrian-oriented character of the Village.

Amendments

The Specific Plan is the result of a comprehensive amendment adopted by Council in 1989, pursuant to Ordinance No. 164305, which responded to the transition of Westwood Village from a neighborhood-oriented retail center to a regional destination. This amendment placed limitations on the number of food-related establishments, movie theater seats, financial services, and hotel guest rooms in the Plan area. This comprehensive amendment was in response to changed dynamics in the Plan area, including a concentration of movie theaters and fast-food uses, which led to an increase in congestion and safety concerns. This comprehensive amendment was also pursued to reinforce the pedestrian-oriented scale of the built environment of the neighborhood at the time.

A subsequent amendment, adopted by Council in 1991 pursuant to Ordinance No. 167137, added new definitions, limitations, and restrictions for various hotel uses and introduced prohibitions on drive-in business and new or used vehicle sale area uses. This amendment clarified that additional hotel rooms could be constructed. The purpose of this amendment was to resolve disputes that had arisen regarding interpretation of the Specific Plan as amended in 1989.

Regarding definitions in the Specific Plan, the City Planning Commission adopted a Director's Interpretation, dated December 12, 2002, clarifying the definitions of "Restaurant" and "Fast Food Establishment" in an effort to provide a clear distinction between the two types of food-related establishments.

Most recently, an amendment was adopted by Council in 2004 pursuant to Ordinance No. 176177, in support of a large mixed-use project along Glendon Ave. This amendment addressed use, development standards and project review provisions, including: the addition of new language that exempted Projects from "Mini-Shopping Centers" and "Commercial Corner Development" requirements set forth in the LAMC; the additional of definitions for "Mixed Use Project" and "Unified Development;" modification on the restrictions on alcohol sales and nightclubs and similar establishments; the establishment of limits on residential densities; amendments to the Certificate of Appropriateness clause for cultural resources; the creation of three new subareas with new use and height limits; changes to the parking requirements for

"Retail and Other Commercial Uses;" adjustments to the bicycle parking and shower facilities requirements; and, revisions to the provisions related to Design Review procedures.

Implementation Challenges of the Specific Plan

In spite of the efforts of the Specific Plan to facilitate a balanced mix of uses in order that Westwood Village function as a retail center for the surrounding community primarily and the broader region secondarily, Westwood Village has struggled to achieve this vision over the last three decades. This economic challenge is most evident in the commercial vacancy rates in the neighborhood which exceed the City average; in 2017, the Westwood Village Improvement Association estimated the vacancy rate to be approximately 15 percent whereas the county-wide vacancy rate was estimated to be approximately 4 percent.

As cited in the Council motion, three Specific Plan provisions that may inhibit businesses from locating in the Plan area are:

- (1) detailed definitions of food and dining uses that place uses into very specific categories;
- (2) limits on the number of each specific category of food and dining use; and,
- (3) parking requirements that exceed general zoning code parking requirements.

1. Definitions of food and dining establishments

Section 4 of the Specific Plan defines several food-related establishment uses that continue to be popular (e.g. "fast food establishment," "restaurant," "full service grocery store," etc.), but does not adequately define the expanded offering of food-related establishments that have emerged over the last three decades, specifically in regards to the rise of popular "fast-casual" restaurants. "Fast-casual" restaurants operate somewhere within the spectrum between "restaurant" use and "fast food establishment" use without fully meeting the criteria to be classified as either, according to the definitions in the 2002 Director's Interpretation. Popular examples of a "fast casual" restaurant in Los Angeles include Lemonade, Pine & Crane, and Tocaya Orgánica. Other common types of food-related establishments (e.g. "delicatessen," "bakery," food/grocery store," etc.) are classified as a "Neighborhood Retail" use but may become defined as a "fast food establishment" use if they serve food for on-site consumption. Thus, the definitions of food-related uses are complex in an effort to distinguish the finer details along the spectrum of food-related uses, yet the definitions are blurred as some uses cross over and/or include aspects of multiple food-related uses.

2. Limits on number of food and dining establishments

Among the purposes of the Specific Plan is to encourage and facilitate a mix of uses within the Plan area. Toward this purpose, the Specific Plan imposes limits on certain types of uses and establishments (Section 5, sub-paragraph B., "Limited Uses"). The Specific Plan places a cap on the number of food and dining establishments along each street in the Plan area; specifically, fast food establishments, restaurants and convenience food stores are restricted uses. These food-related establishment uses are limited as follows:

Use	Ratio	Exception
Restaurant	1 per every 200 linear feet of frontage along a street	Broxton Avenue: 1 per every 150 linear feet of frontage along a street
Fast Food Establishment	1 per every 400 linear feet of frontage along a street	Broxton Avenue: 1 per every 200 linear feet of frontage along a street
Convenience Food Store	1 per every 1,000 linear feet of frontage along a street	<i>None</i>

There is a demand for commercial/retail and restaurant/food space in the Specific Plan area; however, these restrictions on the maximum allowable number of establishments prevents some businesses from opening here.

3. *Parking Requirements*

Among the purposes of the Specific Plan is to encourage the provision of additional public parking directly by developers. Toward this purpose, the parking requirements set forth by the Specific Plan are more restrictive than general LAMC Zoning Code requirements.

First, the Specific Plan imposes requirements regarding the number of required spaces (Section 9, sub-paragraph A.), as follows:

Use	Specific Plan	Zoning Code
Hotel/Motel	1 space per guest room, <i>plus</i> 1 space per 100 square feet of restaurant dining area, <i>plus</i> 1 space per 35 square feet of meeting rooms, <i>plus</i> the number of spaces required by the Zoning Code.	1 space per guest room for the first 30 guest rooms, ½ space per guest room for the next 30 guest rooms, ⅓ space per guest room for the remaining guest rooms, <i>plus</i> 1 space per 100 square feet of restaurant dining area, <i>plus</i> 1 space per 35 square feet of meeting rooms.
Motion picture theater	1 space per 3 fixed seats, <i>or</i> , where there are no fixed seats, 1 space per 25 square feet of floor area.	1 space per 5 fixed seats, <i>or</i> , where there are no fixed seats, 1 space per 35 square feet of floor area.
Nightclub or similar	1 space per 5 fixed seats, <i>or</i> , where there are no fixed seats,	1 space per 100 square feet of floor area.

Use	Specific Plan	Zoning Code
	1 space per 75 square feet of floor area.	
Office, <i>excluding</i> medical	3.25 spaces per 1,000 square feet of floor area.	2 spaces per 1,000 square feet of floor area.
Retail/Commercial	4 spaces per 1,000 square feet of floor area.	4 spaces per 1,000 square feet of floor area.

Second, Specific Plan parking requirements include provisions regarding off-site parking (Section 9, sub-paragraph C). Required parking can be satisfied on- or off-site. This is also permitted under general zoning code provisions. The Specific Plan is more permissive than the zoning code in that off-site parking can be provided as far as 1,000 feet from the subject project site whereas Zoning Code provisions limit the distance to 750 feet. The challenge for projects in the Specific Plan area is the Zoning Code requirement that a Covenant and Agreement be recorded on the off-site parking location. Owners of parking facilities with available spaces are willing to enter into lease agreements but do not always allow a Covenant and Agreement to be recorded against their properties. A project applicant can pursue a Variance pursuant to the LAMC for relief from the requirement for a recorded Covenant and Agreement, and request that a lease be approved for satisfying this Zoning Code requirement; however, this Variance may not be granted, the process may require several months, and fees are required for filing the request.

Third, Specific Plan parking requirements include replacement parking (Section 9, sub-paragraph E). This provision requires that when parking spaces are removed, and those removed spaces are not required to serve a specific project or site, 50% of those parking spaces are to be replaced on- or off-site, in addition to any other required parking for the project.

Summary of Parking Implementation Challenges

In summary, the Specific Plan requires the provision of additional public parking directly by developers, but these Specific Plan provisions are very challenging due to limited options for locating new parking spaces in Westwood Village. This is particularly difficult for historic buildings because parking requirements were minimal or non-existent at the time of their construction and the site design of the buildings does not accommodate parking. Thus, these parking provisions impose a heavy burden on proposed projects, and inhibit the redevelopment and improvement of sites within the Village.

At the same time, there appears to be a diminishing demand for parking. According to a parking study completed by Civic Enterprise Associates for the Westwood Village

Improvement Association in 2013, approximately 1,000 of the 6,200 public parking spaces (roughly 16%) in Westwood Village were available at any given time, including during peak hours. With the Metro Purple Line Extension to UCLA, several existing public transit corridors, and both established and emerging shared mobility options (e-bikes, e-scooters, rideshare services, and carshare services) available, Westwood Village is steadily developing a variety of transit options that did not exist at the time of the establishment of the Specific Plan. Thus, requirements for additional public parking may not reflect today's retail and travel mode needs, and, in addition, may not support other Specific Plan purposes to encourage the use of transit options.

Council Request

The aforementioned motion adopted by the City Council in early 2019 requests that DCP staff "prepare a report within 90 days that identifies options for amending the Westwood Village Specific Plan" to:

- (1) revise definitions of food-related establishments,
- (2) revise the restrictions on the types and number of such establishments, and
- (3) revise parking requirements within the Plan.

The motion points out that the Specific Plan "has not kept time with the changing consumer demands related to current restaurant/food and commercial/retail needs." The motion charges that despite the stated purpose of the Specific Plan to "encourage and facilitate a balanced mix of uses and an environment attractive to a cross-section [of] the community," particular "provisions of the Specific Plan hinder restoring this neighborhood-serving commercial district to its former vibrancy." The motion highlights the issue of an overabundance of parking in Westwood Village with "approximately 1,000 available spaces, at all times of the day, even during peak hours," as discovered by a prior study. In summary, the motion brings attention to the inability of the Specific Plan to adequately respond to present and anticipated future needs of the area it serves.

Recommendations

Based on initial research, the Department of City Planning will evaluate a number of options addressing the concerns about the Westwood Village Specific Plan. The scope of work to develop an ordinance for consideration would include additional research and analysis, resulting in proposals for modifications or amendments to definitions and regulations to address the primary concerns raised in the motion: (1) revising definitions of food related establishment uses, (2) reconsidering concentration ratios for certain uses, and (3) reducing parking requirements.

The following table presents an initial draft of options to address each of these three issues.

Potential Options for a Specific Plan Amendment

Amendment:	Options:
<i>Revise definitions of food-related uses:</i>	1. Eliminate the definition of “fast food establishment” and eliminate the definition of “restaurant.”
	2. Add a definition of “restaurant” and add a definition of “fast casual.” Revise other food-related definitions to eliminate overlap.
<i>Reconsider concentration ratios for food-related establishments:</i>	1. Eliminate restaurant and fast food establishment use ratios in their entirety.
	2. Replace the per street ratio with a Village-wide cap limiting the number of fast food, fast casual, and restaurant establishments within the Plan Area as a whole, as (a) one cap on all dining establishments or (b) three independent caps, one for each type of dining establishment.
<i>Revise parking requirements:</i>	1. (a) Remove all parking requirements for historic buildings; (b) remove parking replacement requirement; (c) remove requirements regarding the number of parking spaces and apply general zoning code requirements.
	2. (a) same as Option 1; (b) same as Option 1; (c) same as Option 1; (d) remove parking requirements for a change of use.
<i>Revise location of parking:</i>	1. Allow a lease in lieu of Covenant and Agreement within the Specific Plan.
	2. Allow a lease in lieu of Covenant and Agreement, and increase the allowable distance for off-site parking to ¼ mile (1,320 feet).

Preparation of a proposed ordinance for consideration would take approximately one year; during this time the Department would continue to research strategies to best accomplish the selected options outlined above, to retain and utilize consultant services (if determined to be necessary), conduct community outreach, conduct an evaluation of the proposal for potential environmental impacts, and prepare a staff report and ordinance for consideration.

Recommended Action

Upon City Council initiation of a Specific Plan Amendment to the Westwood Specific Plan, the Department of City Planning will conduct public outreach, further analysis of potential options, and prepare a draft ordinance for consideration by the City Planning Commission, City Council, and Mayor.

For any additional questions regarding this report, please contact Naomi Guth, City Planner, at (213) 978-1201, or by email at Naomi.Guth@lacity.org.

Sincerely,
VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read 'K. J. Keller', with a stylized, flowing script.

Kevin J. Keller, AICP
Executive Officer

VPB:KJK:SMMB:RV:JAH:NG