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CITY ATTORNEY

REPORT NO. R 22 - 0134
APR 20 2022

REPORT RE:

**DRAFT ORDINANCE AMENDING THE WEST ADAMS-BALDWIN HILLS-LEIMERT
COMMUNITY PLAN IMPLEMENTATION OVERLAY DISTRICT (ORDINANCE
NO. 184794, AS SUBSEQUENTLY AMENDED BY ORDINANCE NO. 186401) TO
MODIFY PROVISIONS IN THE JEFFERSON/LA CIENEGA TRANSIT ORIENTED
DISTRICT SUBAREA FOR PARCEL GROUP E**

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. 21-0245

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends the West Adams-Baldwin Hills-Leimert Community Plan Implementation Overlay District (West Adams CPIO) to allow for an increase in the maximum building height and the maximum individual floor height for a proposed development project (Project) located at 5860 West Jefferson Boulevard, within the Jefferson/La Cienega Transit Oriented District Subarea (Parcel Group E). The draft ordinance also amends the West Adams CPIO to prohibit off-site static and digital signage and on-site digital signage for Parcel Group E.

Background and Summary of Ordinance Provisions

On November 19, 2020, the City Planning Commission (CPC) held a hearing on the Project (Case No. CPC-2019-4992-CPIOA-ZAD-SPR-WDI), which is described in the staff report included in the CPC's transmittal report to the City Council, dated

March 3, 2021 (CPC Transmittal Report). The CPC voted to recommend approval of the Project's entitlements, including a recommendation that City Council adopt an amendment to the West Adams CPIO for Parcel Group E only, as follows:

1. Allow a maximum building height of 320 feet in lieu of the otherwise allowed 75 feet per CPIO Section V-2(A)(1)(c);
2. Allow a maximum individual floor height of up to 37 feet and with atrium space up to 52 feet in height in lieu of the otherwise allowed 14 feet and 25 feet, respectively per CPIO Section V-2(A)(1)(e); and
3. Prohibit off-site and digital signage, as well as billboards.

On June 15, 2021, the Planning Land Use Management Committee (PLUM) considered and approved the CPC's recommendations, recommended that the City Council adopt the CPC's findings as its own, and requested that the City Attorney's Office prepare and transmit an ordinance to amend the West Adams CPIO in accordance with the amendments set forth above.

California Environmental Quality Act (CEQA) Standard of Review

The CPC found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, that the proposed Project was assessed in the Environmental Impact Report No. ENV-2008-478-EIR, certified on June 29, 2016; and, pursuant to CEQA Guidelines Sections 15162 and 15164 and the Addendum, dated August 2020 (collectively referred to as the "2016 EIR and 2020 Addendum"), that no major revisions to the EIR are required and no subsequent EIR, or negative declaration is required for approval of the Project.

Reliance on the previously certified 2016 EIR and 2020 Addendum is appropriate if the City Council finds, based on the whole of the administrative record, that the Project was assessed in the previously certified 2016 EIR; and, pursuant to CEQA Guidelines Sections 15162 and 15164 and the Addendum, dated August 2020, that no major revisions to the EIR are required and no subsequent EIR, or negative declaration is required for approval of the Project.

Charter Findings Required

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section, namely adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare, and good zoning practice. Charter Section 558(b)(3)(A) allows the City Council to adopt an ordinance conforming to the CPC's recommendation of approval of the ordinance, if the CPC recommends such approval. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the

purposes, intent and provisions of the General Plan. The City Council can either adopt the CPC's findings and recommendations as set forth in the CPC Transmittal Report to the City Council or make its own.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety. The department was requested to provide comments, if any, directly to the City Council or its Committee when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Parissh A. Knox at (213) 978-8191. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

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Transmittal