

EXHIBIT A: Draft Resolution Certifying EIR and Adopting General Plan Amendments

CPC-2017-432-CPU, CPC-2014-1582-CA; ENV-2017-433-EIR

For consideration by the City Planning Commission

June 17th, 2021

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2017021024 (ENV-2017-433-EIR) AS RELATED TO THE UPDATE TO THE DOWNTOWN COMMUNITY PLAN, AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN; ADOPTING FINDINGS OF FACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081(a), APPROVING A MITIGATION MONITORING PLAN, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING THE UPDATE TO THE DOWNTOWN COMMUNITY PLAN, AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN, TO THE FRAMEWORK ELEMENT, AND TO THE MOBILITY PLAN 2035.

WHEREAS, the Central City Community Plan was adopted by the City Council in 2003 and the Central City North Community Plan was adopted by the City Council in 2000 and while both were amended in 2016 to make them consistent with the Mobility Plan 2035 and by limited amendments through the Periodic Plan Review Program, neither have been subject to comprehensive updates since adoption; and

WHEREAS, the Department of City Planning has prepared a comprehensive update to the Central City Community Plan and the Central City North Community Plan which consists of all of the following:

- (1) A boundary change to combine the two community plans into one community plan area, known as the Downtown Community Plan area;
- (2) Amendments to the General Plan Land Use Map, referred to as the Downtown Community Plan General Land Use Map;
- (3) A new Downtown Community Plan policy document;
- (4) Amendments to the Framework Element and Mobility Plan 2035 for consistency with the new Downtown Community Plan;
- (5) Zoning ordinances to implement the Downtown Community Plan:
 - a. Proposed New Zoning Code for the Downtown Community Plan Area;
 - b. Proposed Zone Changes to the City of Los Angeles Zoning Map;
 - c. Proposed Downtown Community Plan Implementation Overlay District,
 - d. Proposed Pipeline Parking Alignment Ordinance,
 - e. Proposed Community Plan Consolidation Ordinance
 - f. Proposed removal of the Downtown Design Guide and
 - g. Proposed removal of the Bunker Hill Specific Plan,
 - h. Proposed amendments to the River Improvement Overlay (RIO);
 - i. Proposed Amendments to the Greater Downtown Housing Incentive Ordinance;
- (6) Other Ordinances to implement a community benefit program in the CPIO:
 - a. Proposed Downtown Community Benefits Fee Ordinance;
 - b. Proposed Downtown Community Benefits Trust Fund Ordinance;
 - c. Proposed Downtown Affordable Housing Trust Fund Ordinance;

which, will hereinafter be collectively referred to as “Proposed Project” unless specifically identified otherwise; and

WHEREAS, the Department of City Planning has prepared amendments to the boundaries of the Central City and Central City North Community Plans to establish the Downtown Community Plan, reducing the number of Community Plans from 35 to 34.

(1) All references in any General Plan Element to the number of Community Plans or Community Plan Areas in the City shall be amended as follows: "35 Community Plans" shall be deleted and replaced with "34 Community Plans" and "35 planning areas" shall be deleted and replaced with "34 planning areas."

(2) All references in any General Plan element to the Central City Community Plan or the Central City North Community Plan shall be amended to refer to the Downtown Community Plan, including clarifying the specific boundaries of the Downtown Community Plan; and

WHEREAS, a notice of public hearing on the Proposed Project was published in the “Daily Journal” on November 12, 2020, and notice was mailed to property owners and occupants on November 6, 2020 in accordance with LAMC Sections 11.5.6 and 12.32 C.4; and

WHEREAS, hearing officers of the Planning Department, as representatives of the City Planning Commission, pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6 C.1 and 12.32 C.2, held a public hearing regarding the Proposed Project on December 8, 2020 and made a report and recommendation to the City Planning Commission; and

WHEREAS, the City Planning Commission conducted a public hearing on June 17, 2021, and considered all evidence, both oral and written, made at the June 17, 2021 hearing, and the previous December 8, 2020 hearing, including but not limited to the Staff Report of the City Planning Department, including exhibits and appendices, which included the recommendations of the Director, and testimony, documents, and exhibits or attachments, submitted by interested parties, including other state and local agencies; and

WHEREAS, at the completion of the June 17, 2021 public hearing, the City Planning Commission recommended the City Council approve the Proposed Project [OPTIONAL “with the following modifications”]

WHEREAS, the City Council finds the Proposed Project reflects changes in land use policies that have occurred in the community since the current Central City and Central City North Community Plans and their implementing ordinances, were adopted; and

WHEREAS, the City Council has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2017-433-EIR and the whole of the administrative record in its determination of adopting the Proposed Project; and

WHEREAS, pursuant to the City Charter Section 555 and LAMC Section 11.5.6, the Mayor and the City Planning Commission have transmitted their recommendations to the City Council.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
2. Findings. The City Council has reviewed the City Charter, General Plan and Municipal Code findings of the Los Angeles City Planning Commission and adopts these findings as the findings of the City Council.
3. CEQA Certification and Findings.
 - (a) Contents of FEIR. Pursuant to CEQA Guidelines Section 15132, the Final Environmental Impact Report (FEIR), which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2017021024 (ENV-2017-433-EIR), dated August 6, 2020, the Draft EIR appendices, and the document titled "Final EIR" dated _____, including all its related appendices and attachments.
 - (b) EIR Certification. The City Council certifies:
 - (1) The FEIR has been completed in compliance with CEQA;
 - (2) The FEIR was presented to the City Council and that the City Council has reviewed and considered the information contained in the FEIR prior to approval of the Proposed Plan, and all of the information contained therein has substantially influenced all aspects of the decision by the City Council; and
 - (3) The FEIR reflects the City Council's independent judgement and analysis.
 - (c) Mitigation Monitoring. The Mitigation Monitoring Program (MMP) set forth in Exhibit 2 to this resolution, which is attached hereto and incorporated herein by this reference, is adopted to ensure that all mitigation measures described in the MMP are fully implemented. The City Council finds all of the mitigation measures in the MMP are feasible.
 - (d) CEQA Findings. The Council, in its independent judgement, based on the whole of the administrative record, adopts all of the findings in the EIR Findings set forth in Exhibit 1 to this Resolution, which are attached hereto and incorporated herein by this reference. In adopting the EIR Findings, the Council ratifies, adopts, and incorporates the analysis and explanation in the FEIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions in the FEIR relating to environmental impacts and mitigation measures.
 - (e) Statement of Overriding Considerations. The City Council adopts the Statement of Overriding Considerations attached at Exhibit 3 to this Resolution, which is attached hereto and incorporated herein by reference. The City Council finds that each listed Proposed Project benefit identified in the Statement of Overriding Considerations provides a separate and independent ground for its approval of the Proposed Project

- and overrides all of the identified significant and unavoidable impacts of the Proposed Project.
- (f) Location and Custodian of Documents. The record of approval of the Proposed Project shall be kept in the office of the City Clerk, City of Los Angeles, City Hall, 200 North Spring Street, Los Angeles, California 90012 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Department of City Planning and the Director of the Department of City Planning shall be the custodian of the documents.
- (g) Notice of Determination. The Director of the Department of City Planning is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines.
4. General Plan Amendments. The City Council approves the proposed General Plan text and map amendments found in Council File No. _____, as recommended by the City Planning Commission on _____, and by the City Council on _____, to: (a) the Downtown Community Plan (Land Use Element); (b) the Framework Element; and (c) the Mobility Plan 2035 (Circulation Element).
5. Reversion to Prior Community Plan. Unless otherwise provided by action of the City Council, to the extent the Downtown Community Plan Update is enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the Central City and Central City North Community Plans shall, by operation of law, be revived and continue in full force and effect, until such time as the injunction is dissolved, the court order is set aside, and/or until further action of the City Council.
6. Operative Date. To ensure the City's zoning ordinances are in conformity with the General Plan, this resolution shall be operative upon the adoption by the City Council of the following implementing ordinances found in Council File No. _____: Adoption of the New Zoning Code for the Downtown Community Plan area, and zone changes to the City Zoning Map;

Attachments:

- 1 – Exhibit __ FEIR
- 2 – Exhibit __ MMP
- 3 – Exhibit __ CEQA Findings of Fact and Statement of Overriding Considerations
- 4 – Exhibit __ General Plan Amendment Map