

ORDINANCE NO. 176417

An ordinance amending Ordinance No. 155,044, the Wilshire-Westwood Scenic Corridor Specific Plan.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 1 of Ordinance No. 155,044 is amended by amending the definitions of "Approval Authority" and "Specific Plan Area" to read:

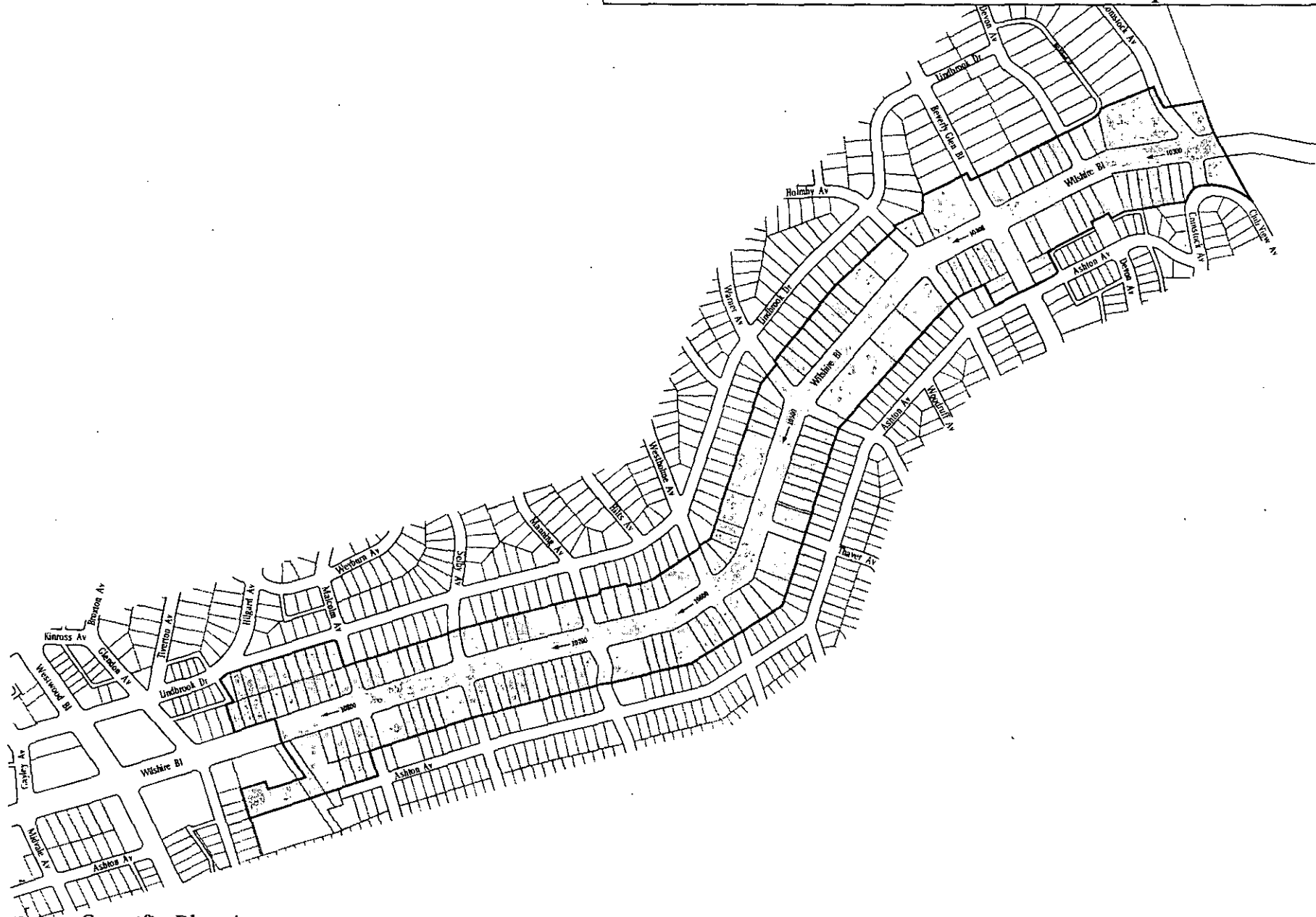
Approval Authority - The Director of Planning, Area/City Planning Commission, or as enumerated in Section 11.5.7 of the Los Angeles Municipal Code.

Specific Plan Area - The shaded area shown within the heavy black lines on the map contained in Section 2 of this Specific Plan.

Sec. 2. Section 2 of Ordinance No. 155,044 is amended to read:

The City Council hereby establishes this Specific Plan applicable to that area of the City of Los Angeles, designated the Wilshire-Westwood Scenic Corridor, shown as the shaded area within the heavy black lines on the Map below:

Wilshire • Westwood Scenic Corridor Specific Plan



Specific Plan Area

Sec. 3. Section 4 of Ordinance No. 155,044 is amended to read:

Section 4. **Development Procedure**

Development of High-Rise Buildings in the Specific Plan Area shall be phased in order to assure that such development shall be orderly, reduce adverse traffic impact and provide certain additional services such as parking.

A. Jurisdiction. No building or structure shall exceed **six stories or 75 feet** in height, except that in the event applications are filed for Projects wherein the height of any structure would exceed **six stories or 75 feet** within the Specific Plan Area, no building permit shall be issued for any such Project unless such Project has been reviewed and approved in accordance with the Specific Plan Procedures of Section 11.5.7 E or F (Adjustments or Exceptions) of the Los Angeles Municipal Code and pursuant to the procedures enumerated in Subsection B below.

B. Approval Procedure. For the approval of any project above **six stories or 75 feet** in height, in addition to the findings required by Section 11.5.7 of the Los Angeles Municipal Code, the Approval Authority must also make findings that the proposed Project complies with the provisions of this Specific Plan and that any Shadow from the proposed Project will conform with Section 12, Shadow Impact, hereof. Further, the application shall contain a Schematic Design Plan showing the relationship of the proposed Project to adjacent development and surrounding properties affected by shadow. In addition to the notification to property owners required in Section 11.5.7 of the Los Angeles Municipal Code, notification shall also be given to all Homeowner's Associations representing property owners immediately adjacent to the Specific Plan Area, and all owners of property within the Specific Plan Area, except that condominium owners shall be notified by a notice to the condominium's Homeowner's Association.

C. Mitigation of Construction Activity. The Approval Authority shall impose mitigating conditions when it approves or conditionally approves a Project which will reduce the adverse impacts from noise, traffic, excavation and other inconveniences and problems associated with simultaneous multiple construction activities within the Specific Plan Area where such construction activity will be within 1,000 feet of another Project undergoing construction. Such mitigating conditions may include a requirement to delay the effective date of a Specific Plan Exception entitlement for a Project above **six stories or 75 feet** in height for a period not to exceed six months. If the Approval Authority determines that such impacts cannot be mitigated, it may disapprove the Project.

D. Required Approvals. All Projects shall be reviewed and approved in accordance with the Design Review Board Procedures of Section 16.50 and the Specific Plan Procedures of Section 11.5.7 of the Los Angeles Municipal Code.

Sec. 4. The first unnumbered paragraph of Section 12 of Ordinance No. 155,044 is amended to read:

In considering a proposed Project over **six stories or 75 feet** in height, as specified in Section 4 B of this Specific Plan, the Approval Authority shall make every effort to minimize the Shadows caused by the Project on residential lots adjacent to the Wilshire-Westwood Scenic Corridor and to maximize air and light between buildings. Toward this end, the criteria to be specifically considered shall be the degree to which a proposed Project shall maximize the access to sunlight and air and minimize Shadows cast onto residential lots lying adjacent to the Scenic Corridor. Such Shadow effects from proposed Projects shall be examined and limited by the Approval Authority, as follows:

Sec. 5. The first unnumbered paragraph of Section 15 of Ordinance No. 155,044 is amended to read:

The regulations in this Specific Plan are in addition to those set forth in the provisions of Chapter 1 of the Los Angeles Municipal Code and any other relevant ordinance and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained in Chapter 1, except as specifically provided for herein.

Sec. 6. Section 15 of Ordinance No. 155,044 is amended by adding two new subsections designated "C" and "D" to read:

C. Whenever this Specific Plan contains provisions regarding building height, density, floor area ratio and/or parking requirements that are more restrictive than provisions contained elsewhere in Chapter 1 of the Los Angeles Municipal Code, the Specific Plan shall prevail and supersede the other applicable provisions of the Los Angeles Municipal Code.

D. Nonconforming buildings or structures as specified in Section 12.23 A of the Los Angeles Municipal Code are permitted. Balcony enclosures on existing, nonconforming buildings may be approved subject to Sections 11.5.7 and 16.50 of the Los Angeles Municipal Code, notwithstanding the provisions of Section 12.23 of the Los Angeles Municipal Code.

(108058)

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of DEC 15 2004, and was passed at its meeting of JAN 04 2005.

FRANK T. MARTINEZ, City Clerk

By Maria Botenich
Deputy

Approved JAN 14 2005

James Hahn
Mayor

Approved as to Form and Legality

Reacquired J. Delgadillo, City Attorney

By Sharon Siedorf Cardenas
SHARON SIEDORF CARDENAS
Assistant City Attorney

Date Dec. 15, 2004

File No. CF No. 03-0236; CPC 2003-7784 SP CA

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend it be adopted

December 15, 2004

see attached report.

Con Howe
CON HOWE
Director of Planning

DECLARATION OF POSTING ORDINANCE


I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176417 - Amended (155,044) the Wilshire-Westwood Scenic Corridor Specific Plan - CPC 2003-7784 SP CA - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on January 4, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on January 21, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on January 21, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21st day of January 2005 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: March 2, 2005

Council File No. 03-0236