

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2016091010 (ENV-2016-2906-EIR) AS RELATED TO THE UPDATE TO THE BOYLE HEIGHTS COMMUNITY 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 BOYLE HEIGHTS 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 Boyle Heights Community Plan was adopted by the City Council in 1979 and amended in 1991 through the General Plan/Zoning Consistency Program, and then updated in 1998;

WHEREAS, the Department of City Planning has prepared an update to the Boyle Heights Community Plan, which consists of all of the following:

- (1) Amendments to the General Plan Land Use Map, referred to as the Boyle Heights Community Plan General Plan Land Use Map;
- (2) A new Boyle Heights Community Plan policy document;
- (3) Amendments to the Framework Element and Mobility Plan 2035 for consistency with the new Boyle Heights Community Plan;
- (4) Zoning ordinances to implement the Boyle Heights Community Plan:
 - a. Proposed amendments to LAMC Chapter 1A;
 - b. Proposed Zone Changes to the City of Los Angeles Zoning Map;
 - c. Proposed Boyle Heights Community Plan Implementation Overlay District;
 - d. Proposed amendment to the River Improvement Overlay (RIO);
 - e. Proposed amendment to the Clean Up Green Up (CUGU) Overlay;
 - f. Proposed amendment to the Adelante Eastside Redevelopment Plan Area

WHEREAS, a notice of public hearing on the Proposed Project was published in the "Daily Journal" on September 30, 2022, and notice was mailed to property owners and occupants on October 3, 2022 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 October 27, 2022 and made a report and recommendation; and

WHEREAS, a notice of a public hearing for the City Planning Commission was published in the "Daily Journal" on March 23, 2023, and notice was mailed to property owners and occupants on March 24, 2023 in accordance with LAMC Sections 11.5.6 and 12.32 C.4; and

WHEREAS, the City Planning Commission conducted a public hearing on April 20, 2023, and considered all evidence, both oral and written, made at the April 20, 2023 hearing, and the previous October 27, 2022 hearing, including but not limited to the Staff Report of the City Planning Department, including exhibits and appendices, which included the

recommendations of the hearing officers, and testimony, documents, and exhibits or attachments, submitted by interested parties, including other state and local agencies; and

WHEREAS, at the completion of the April 20, 2023 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 Boyle Heights Community Plan, and its implementing ordinances, were adopted; and

WHEREAS, the City Council has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2016-2906-EIR, inclusive of the Draft EIR and its appendices, 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, Municipal Code, and State law findings recommended by the Los Angeles City Planning Commission located in _____ and adopts these findings as the findings of the City Council.
3. CEQA Certification, Findings, and Statement of Overriding Considerations.
 - (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. 2016091010 (ENV-2016-2906-EIR), dated July 28, 2022, 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 1 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 also adopts the findings in the EIR Findings set forth in Exhibit 2 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, mitigation measures, and alternatives.
- (e) Statement of Overriding Considerations. The City Council adopts the Statement of Overriding Considerations attached at Exhibit 2 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 adopted by the City Council on _____, to: (a) the Boyle Heights 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 Boyle Heights Community Plan Update is enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the Boyle Heights Community Plan (as adopted in 1998) 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, Section 4 of this resolution shall be operative upon the adoption by the City Council of the following implementing ordinances found in Council File No. _____ for the Boyle Heights Community Plan Update: Amendments to Chapter 1A, and zone changes to the City Zoning Map.

Attachments:

- 1 – Exhibit __ MMP
- 2 – Exhibit __ CEQA Findings of Fact and Statement of Overriding Considerations