

ORDINANCE NO. _____

An ordinance to amend the Hollywood Redevelopment Plan, adopted on May 7, 1986 by Ordinance No. 161,202, as amended on May 20, 2003 by Ordinance No. 175,236.

WHEREAS, on June 27, 2012, the State enacted AB 1484, which in part, added Health and Safety Code Section 34173, including subdivision (i), which allows any city, county, or city and county, including those that did not elect to become the successor agencies, to request the transfer of all land use related plans and functions of the former redevelopment agency; and

WHEREAS, the City of Los Angeles did not elect to be a successor agency to the Former Community Redevelopment Agency of the City of Los Angeles (CRA) after the passage of Assembly Bill (AB) X1 26, the Dissolution Law; and

WHEREAS, on September 24, 2019, the City Council of the City of Los Angeles adopted a resolution requesting transfer of all land use related plans and functions pursuant to Health and Safety Code Section 34173(i); and

WHEREAS, the City requested the transfer in part to streamline the approval of housing in the City as every project in a redevelopment plan area was required to be reviewed by the CRA/LA-DLA, in addition to review under City entitlement review; and

WHEREAS, on October 23, 2019, the City was sued by AIDS Healthcare Foundation (AHF) on its September 24, 2019 action, on the basis, in part, that the City Council did not take all land use related plans and functions; and

WHEREAS, contrary to the allegations by AHF, the City Council intended in its September 24, 2019 resolution to take all land use related plans and functions as that phrase is defined and used in California Health and Safety Code Section 34173(i); and

WHEREAS, lawsuits challenging housing project compliance with the Hollywood Redevelopment Plan delays and prevents urgently needed housing, including affordable housing, in the City; and

WHEREAS, the City initiated an update (Hollywood Community Plan Update) to the Hollywood Community Plan (Community Plan) to establish the City's goals, policies, and programs to implement the City's vision for the development of the Community Plan area consistent with the Framework Element, the Mobility Plan, and the City's other General Plan elements; and

WHEREAS, the Community Plan Update includes a comprehensive review and update to the Community Plan and all City zoning ordinances, specific plans, and other applicable land use plans which implement the updated Community Plan, including

without limitation amendments to the Zoning Map to rezone the zone and height districts in the Community Plan area, amendments to the Vermont/Western Transit Oriented District Specific Plan, the adoption of the Hollywood Community Plan Implementation Overlay District, and adoption of a Hillside Construction Regulation Supplemental Use District for the Plan area; and

WHEREAS, the Hollywood Redevelopment Plan, adopted in 2003, contains many provisions regulating the use and development of land in the Hollywood Redevelopment Plan area which area is wholly within the Hollywood Community Plan area, and those provisions include without limitation design, development and use standards, as well as requirements for the former CRA to prepare studies and reports and adopt design guidelines or plans related to development in the Redevelopment Plan area; and

WHEREAS, the City Council finds that all provisions in the Hollywood Redevelopment Plan intended to regulate, control, or shape the development of land in the Hollywood Redevelopment Plan Area are in conflict with the Hollywood Community Plan Update and its implementing ordinances, including but not limited to those adopted and amended through the Hollywood Community Plan Update, because the Hollywood Redevelopment Plan provisions, including without limitation those in Section IV and V of the Hollywood Redevelopment Plan, (1) prohibit what is allowed under the Community Plan Update and its implementing ordinances; or (2) allow what is prohibited under the Community Plan and its implementing ordinances; or (3) add undesirable additional regulations, processes, costs, and burdens on the City, property owners, and developers that impede or prevent beneficial and urgently needed housing and other types of development in the City; and

WHEREAS, the City Council finds that all land use related plans and functions of the former CRA, including without limitation those consisting of, or exercised through, the Hollywood Redevelopment Plan transferred to the City pursuant to the City Council's September 24, 2019 Resolution and by operation of California Health and Safety Code Section 34173(i); and

WHEREAS, to the fullest extent of the City's authorities over the land use related plans and functions of the former CRA, the City now desires to amend the Hollywood Redevelopment Plan to delete all provisions that either regulate the use and development of land in the Hollywood Community Plan Area or mandate the City to unnecessarily expend resources for land use or development related studies, reports, surveys, or other planning efforts.

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

Section 1. The following definitions apply to this Ordinance.

CRL – the Community Redevelopment Law, California Health and Safety Code Section 33000, et seq.

Enforceable Obligation – the meaning set forth in California Health and Safety Code Section 34171(d).

Former Agency – The Community Redevelopment Agency of the City of Los Angeles, California, which has been dissolved pursuant to California Health and Safety Code Section 34172(a)(1).

Housing Assets – all those items and interests of the Former Agency identified as "housing assets" in California Health and Safety Code Section 34176(e) and which are set forth on the list of housing assets, as such list may be modified from time to time, submitted to and approved or deemed approved by the State of California Department of Finance pursuant to California Health and Safety Code Section 34176(a)(2).

Housing Transfer Agreement – the Agreement Regarding CRA/LA Affordable Housing Assets and Functions dated _____, by and between the City of Los Angeles Housing + Community Investment Department, formally known as the City of Los Angeles Housing Department and _____.

HCIDLA – the City of Los Angeles Housing + Community Investment Department, formally known as the City of Los Angeles Housing Department.

LAMC – the City of Los Angeles Municipal Code.

Land Use Related Plan or Function – as the term is used in California Health and Safety Code subsection 34173(i).

LMIH Asset Fund – as the term is used in California Health and Safety Code subsection 34176(d).

Sec 2. Purpose. The purpose of this Ordinance is to ensure that from the effective date of this Ordinance, the Hollywood Redevelopment Plan shall not regulate or have any further force and effect over: (i) the use and development of land in the City, (ii) obligations of the City to prepare or make any report, survey, study or undertake any other planning effort, and (iii) any other land use related plan or function in the City.

Sec. 3. The following Sections of the Hollywood Redevelopment Plan are hereby deleted: 400, 401, 402, 402.1, 402.2, 402.3, 403, 403.1, 403.2, 404, 405, 405.1, 405.2, 406, 406.1, 406.2, 406.3, 407, 407.1, 407.1.1, 407.1.2, 407.1.3, 407.1.4, 407.2, 408, 409, 409.1, 409.2, 410, 410.1, 410.2, 410.3, 410.4, 410.5, 411, 412, 500, 501, 502, 503, 504, 505, 505.1, 505.2, 505.3, 505.4, 506, 506.1, 506.2, 506.2.1, 506.2.2, 506.2.3, 506.3, 506.4, 507, 507.1, 507.2, 507.3, 508, 508.1, 508.2, 508.3, 508.4, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 518.1, 518.2, 519, 520, 521, and 700.

Sec. 4. Add Section 101 to Section I to the Hollywood Redevelopment Plan to read as follows:

Upon the effective date of Ordinance No. _____, notwithstanding any provision of the Redevelopment Plan or contrary provision of the Los Angeles Municipal Code, including without limitation Section 11.5.14.B, the Redevelopment Plan shall not: (1) regulate the use or development of land in the Project Area; (2) supersede any provision of the Hollywood Community Plan, Chapter I of the LAMC, or any specific plan, overlay zone, supplemental use district or other zoning regulation adopted under the authority of the City of Los Angeles Charter or Chapter I of the Los Angeles Municipal Code, or (3) require the City to prepare, make, or adopt any study, report, survey, or guidelines related to the use or development of land or impacts from the use or development of land, or take any other affirmative action related to the use or development of land or impacts from the use or development of land.

Sec. 5. Nothing in this Ordinance is intended to rescind, affect or impair any authority or obligation of the City (including acting through HCIDLA under the CRL) in the Hollywood Redevelopment Plan that is: (1) not a Land Use Related Plan or Function; or (2) an Enforceable Obligation; or (3) deemed necessary to the full satisfaction and payment of any Enforceable Obligation. If any Section or provision of the Hollywood Redevelopment Plan repealed in Section 3 of this Ordinance, is found by a court of competent jurisdiction in any challenge to this Ordinance to be: (1) not a Land Use Related Plan or Function; or (2) an Enforceable Obligation; or (3) deemed necessary to the full satisfaction and payment of any Enforceable Obligation, that Section or that provision of the Hollywood Redevelopment Plan shall be severed from this Ordinance and shall not be repealed from the Hollywood Redevelopment Plan.

Sec. 6. Nothing in this Ordinance is intended to rescind, affect, or impair any authority or obligation of the City (including acting through the HCIDLA under the CRL), in the Hollywood Redevelopment Plan that: (1) provides for or restricts the expenditure of moneys in HCIDLA's LMIH Asset Fund; or (2) provides for or restricts the disposition or use of any Housing Asset transferred from CRA/LA or the Former Agency to HCIDLA, or related proceeds from the sale or other disposition or use of such assets; or (3) provides for or restricts any provision of the Housing Transfer Agreement. If any Section or provision of the Hollywood Redevelopment Plan repealed in Section 3 of this Ordinance, is found by a court of competent jurisdiction in any challenge to this

Ordinance to do any of those things described in (1), (2), or (3) above, that Section or that provision of the shall be severed from this Ordinance and shall not be repealed from the Hollywood Redevelopment Plan.

Sec. 7. If any provision of this Ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance, which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted each and every provision and portion hereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.