

ORDINANCE NO. 173676

An ordinance establishing the Atwater Village Pedestrian Oriented District, pursuant to Sections 13.00, 13.07, and 13.08 of the Los Angeles Municipal Code for portions of the Northeast Los Angeles Community Plan area, commonly known as Atwater Village.

WHEREAS, the Director of Planning has conducted a study and has found that the portions of Los Feliz Boulevard and Glendale Boulevard identified in this Ordinance have a variety of commercial uses and activities and have a majority of structures of a similar size and with architectural details such as the location of windows, building walls and pedestrian entrances which if preserved and enhanced would encourage people in the surrounding neighborhoods to walk and shop along these streets;

NOW THEREFORE,
THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. ESTABLISHMENT OF ATWATER VILLAGE PEDESTRIAN ORIENTED DISTRICT.

A. Overlay District. The City Council hereby establishes the Atwater Village Overlay District. The provisions of this Ordinance shall apply to any lot located in whole or in part within the shaded area on the following maps identified as 1 and 2.

B. Pedestrian Oriented Streets. The following Pedestrian Oriented Streets are hereby identified as part of the Atwater Village Pedestrian Oriented District:

Glendale Boulevard (between Leclde and the LA River on the south side of Seneca and the LA River on the north side)

Los Feliz Boulevard (between the City of Los Angeles/City of Glendale Boundary Line and the LA River on the south side and Perlita and the LA River on the north side)

Section 2. RELATIONSHIP TO OTHER PROVISIONS OF THE LOS ANGELES MUNICIPAL CODE.

A. The regulations set forth in this Ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the Los Angeles Municipal Code ("LAMC") and do not convey any rights not otherwise granted under such provisions, except as specifically provided herein.

B. As permitted by Section 13.07 D of the LAMC, Section 4 of this Ordinance shall supersede the requirements of Section 13.07 E of the LAMC. In addition, the provisions of subdivision 1 and 2 of subsection F of the LAMC shall apply to this ordinance.

C. Whenever this Pedestrian Oriented District Ordinance contains provisions which differ from, or conflict with provisions contained elsewhere in Chapter 1 of the LAMC with respect to permitted uses, height of screening walls for parking lots, setbacks from street frontages, landscaping of setbacks and types of permitted sign, this Ordinance shall prevail and supersede the other applicable provisions, including, but not limited to, the requirements of Section 12.22 A 23 and Section 12.24 C 56 of the LAMC pertaining to Mini Shopping Centers and Commercial Corner Development Regulations. Whenever this Ordinance is silent, the provisions of the LAMC shall apply.

Section 3. DEFINITIONS. The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in Sections 12.03 and 13.07 C of the LAMC.

A. **Ground Floor.** Ground Floor is the lowest level within a building which is accessible to the street, the floor level of which is within three feet above or below curb level.

B. **Project.** The construction or erection of any building or structure, or addition of floor area to any building, unless the building is used entirely for residential dwelling units. For the purposes of Sections 5 A (1) and 5 A (4) only, a Project also includes exterior alterations to more than 60 percent of the surface area of the plane of any existing building facade fronting substantially or in part a Pedestrian Oriented Street.

C. **Signs.** Include not only words and numerals, but symbols and logos.

Section 4. DEVELOPMENT REGULATIONS. The Department of Building and Safety shall not issue a building permit for a Project within the Atwater Village Pedestrian Oriented District unless the Project conforms to all of the following development regulations. The Department of Building and Safety shall not issue a change of use permit for any use prohibited by Subsection B of this Section.

A. **Building Frontages.** Building frontages shall conform to the following regulation:

(1) **Facade Treatment.** For any Project, 50 percent of the first 10 feet in building height of the building facade shall be articulated with wall treatments including one or more of the following: windows, doors, recessed entryways, recessed courtyards, planters, murals, mosaic tile, or public art and/or other means of creating visual interest. Every effort should be made to make the building facade treatment elements as architecturally integrated as possible.

(2) **Building Setback.** The exterior wall of any new construction or addition of floor area to a building or structure shall be located not more than five feet from any front lot line adjoining a Pedestrian Oriented Street, except that building setbacks from the front lot line may exceed five feet when used for plazas, courtyards, outdoor dining, seating, kiosks, and/or paseos. Building setbacks shall be used for the above listed permitted purposes or shall be landscaped as set forth in Subsection E of this Section.

(3) **Pedestrian Access.** All new construction or addition of floor area to a building or a structure fronting substantially or in part on a Pedestrian Oriented Street shall provide at least one entrance for pedestrians to each Ground Floor.

(4) **Second Floors.** For any Project, the building facades of the floor immediately above the ground floor shall be differentiated from the ground floor by recessed windows, balconies, offset planes, awnings or other architectural details.

(5) **Requirement for Ground Floor.** Each building on a lot fronting substantially or in part on a Pedestrian Oriented Street shall have a ground floor.

B. Prohibited Uses. Any use permitted by the underlying zone shall be permitted on the Ground Floor and on any other floor except that the following uses shall be prohibited within the district:

- Adult Entertainment
- Auditorium
- Automotive Painting
- Automotive Repair and Service
- Automotive Sales, used
- Automotive Storage Area
- Automotive Storage Garage
- Automotive Upholstering
- Bail Bond Broker
- Baseball Batting Range
- Body Piercing Establishment
- Bowling Alley
- Cable Television Broadcasting
- Car Wash
- Day Labor Site
- Fortune Telling, Psychic
- Gasoline Stations
- Helicopter Landings
- Hospital (contagious, mental, drug and alcohol)
- Miniature Golf

Night Club
Open Storage Area, incidental to permitted use
Open Storage Area
Pawnshop
Pool Halls
Public Storage Facility
Recycling Business
Rescue Mission
Restaurant, drive through
Roller Skating Rink
Shooting Gallery
Skateboard Track
Skating Rink
Sports Arena or Stadium
Tattoo Studio
Tow Truck Dispatching

C. **Yards.** Yard requirements shall be as required by the underlying zone, except as specified in subsection A (2) of this section.

D. Parking.

(1) Any surface parking adjoining a Pedestrian Oriented Street Shall be screened by a solid wall having a continuous minimum height of three feet and a maximum height of four feet. In addition, the wall shall be separated from the adjacent public right-of-way by a continuous landscaped area having a minimum width of three feet. For surface parking with a capacity up to 19 cars, four percent of the area shall be landscaped.

(2) All above-grade parking spaces visible from the public right-of-way shall be screened architecturally or with landscaping.

E. Landscaping Standards.

(1) Prior to the issuance of a building permit, the Department of City Planning ("Department") shall approve a landscaping plan for new Projects and parking areas. In approving this plan, the Department shall find that trees, compatible in size and variety with paragraph (2) below, are planted in all landscaped areas at a reasonable density; and that planted window boxes, and hanging plant baskets and flower beds in parking lots are provided where possible, as determined by the Department.

(2) Precise siting of street trees shall be determined by the Street Tree Division of the Bureau of Street Services; however, the number of street trees per

block face should approximate a ratio of one tree for each thirty feet of street frontage. Tree grates and tree guards shall be provided where needed as determined by the Department of Public Works. Notwithstanding the foregoing, the size, location and variety of trees shall be determined by the Department of Public Works except that *Ficus nitida* shall not be required and the Department of Public Works shall give preference to the species tabebuia (trumpet tree) or purple leaf plum. However, consideration may be given by the Department of Public Works to the introduction of alternative species in consultation with the community and council office.

(3) Where streetlights are existing or proposed to be installed, trees shall not be planted within 20 feet of the location of the existing or proposed street light.

(4) An automatic irrigation system where possible shall be provided for all landscaped areas and shall be indicated on landscape plans. Property owners shall maintain all landscaping in healthy condition and shall keep planted areas free of weeds and trash.

F. Sign Standards. Notwithstanding any provisions of Section 91.6201 et seq. Of the LAMC to the contrary, no person shall erect the following signs as defined in Section 91.6203 of the LAMC:

- (1) Signs that flash, move or have the appearance of movement;
- (2) Off-site commercial signs;
- (3) Any pole signs not on a corner lot;
- (4) Pole signs over 10 feet in height on a corner lot;
- (5) Projecting signs or banners, except for signs not to exceed 10 square feet in area or project more than three feet from store facade, for ground floor business and when the top sign is not more than 12 feet above ground level;
- (6) Roof signs;
- (7) Billboards;
- (8) Awning advertisement covering more than 15 percent of the awning's surface area;
- (9) Free standing signs on the sidewalk;
- (10) Banners in place for more than 30 days;
- (11) Advertisements covering more than 10 percent of window surface area.

G. Utilities. Where possible, as determined by the Department of Water and Power for the City of Los Angeles, all new power lines for any individual building or proposed within the Atwater Village Pedestrian Oriented District shall be installed underground.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and cause it to be published in some daily newspaper printed and published in the City of Los Angeles.

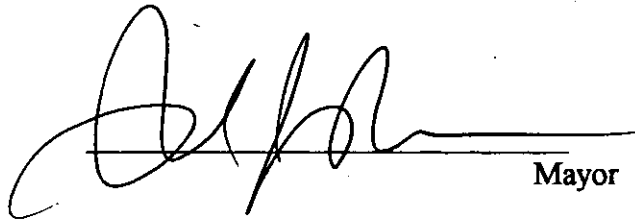
I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of NOV 29 2000.

J. MICHAEL CAREY, City Clerk

By Maria Kostenevich Deputy

DEC 05 2000

Approved _____



Mayor

Approved as to form and legality

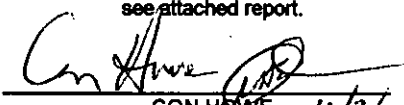
James K. Hahn, City Attorney

By _____

Deputy City Attorney

Pursuant to Charter Section 559, I approve this ordinance and recommend its adoption on behalf of the City Planning Commission

File No. 89-1938

see attached report.


CON HOWE 10/3/00
Director of Planning

(publish 2)