

DRAFT RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2013031038 (ENV-2013-622-EIR) AS RELATED TO GENERAL PLAN AMENDMENTS ASSOCIATED WITH THE EXPOSITION CORRIDOR TRANSIT NEIGHBORHOOD PLAN, AMENDMENT TO THE APPLICABLE COMMUNITY PLANS COMPRISING THE LAND USE ELEMENT OF THE GENERAL PLAN; ADOPTING FINDINGS OF FACT AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(a) AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091, APPROVING A MITIGATION MONITORING PLAN, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING AMENDMENTS TO THE LAND USE ELEMENT OF THE GENERAL PLAN.

WHEREAS, the West Los Angeles Community Plan was adopted by the City Council in 1999, through the General Plan/Zoning Consistency Program, Community Plan Revision Program, and by limited amendments through the Periodic Plan Review Program; and

WHEREAS, the Palms-Mar Vista-Del Rey Community Plan was adopted by the City Council in 1997 through the General Plan/Zoning Consistency Program, Community Plan Revision Program, and by limited amendments through the Periodic Plan Review Program; and

WHEREAS, the West Adams-Baldwin Hills-Leimert Community Plan was adopted by the City Council in 2016 through the General Plan/Zoning Consistency Program, Community Plan Revision Program, and by limited amendments through the Periodic Plan Review Program; and

WHEREAS, the Exposition Corridor Transit Neighborhood Plan (“Project”) consists of amendments to the West Los Angeles, Palms-Mar Vista-Del Rey Community Plan maps and texts with associated land use designation and zone and height district changes, as well as the creation of a Specific Plan; and

WHEREAS, the Hearing Officer, as a representative of the City Planning Commission held a public hearing regarding the Proposed Plan on May 23, 2017; and

WHEREAS, a notice of public hearing was published in the “Los Angeles Daily Journal” on April 26, 2017, mailed to property owners and distributed through the Council Offices, in accordance with Section 12.32-C4 of the Los Angeles Municipal Code; and

WHEREAS, the City Planning Commission conducted a public hearing on November 9, 2017 recommending _____ of the Proposed Plan; and

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Planning Commission at the aforesaid November 9, 2017 public hearing, including but not limited to a staff recommendation report, exhibits, appendices, and public testimony; and

WHEREAS, the amendments to the West Los Angeles, Palms-Mar Vista-Del Rey, and West Adams-Baldwin Hills-Leimert community plans consist of changes that implement applicable Community Plan and General Plan policies related to accommodating job and housing growth through mixed use development focused in transit-served areas and reflect development trends

and physical changes, such as the introduction of Exposition Line Light Rail Transit, that have occurred in the subject communities since the current plans were adopted; and

WHEREAS, the City Council has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2013-622-EIR in its determination of adopting the Project (Proposed Plan); and

WHEREAS, pursuant to the City Charter and ordinance provisions, the Mayor and the City Planning Commission have transmitted their recommendations.

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. Certification of EIR.
 - (a) CEQA Findings. Council finds based upon the substantial evidence in the record of proceedings and its independent judgment and analysis, that:
 - (1) Compliance with CEQA. The Final EIR (FEIR), which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2013031038 (ENV-2013-622-EIR), dated March 2017, the Draft EIR appendices, the Final EIR dated _____ 2017, and all its related appendices and attachments. The FEIR was prepared, in both substance and procedures, in compliance with the requirements of CEQA. The FEIR is included in Exhibit __ to the _____ located in the Council File No. >>>.
 - (2) Ratification of Findings and Analysis in the Final EIR and Attached Findings. In making the findings in this Resolution, 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. The Council also adopts all statements and findings in the Findings of Fact and Statement of Overriding Considerations prepared for the FEIR (hereinafter, "F/SOC"), found in Appendices B and C of the FEIR. The Findings are attached hereto and incorporated herein by this reference. In the Findings, the Project, encompassing associated General Plan Amendments, is referred to as the "Proposed Plan." The Findings adopted to certify the FEIR are for the Proposed Plan.
 - (3) Findings Regarding Environmental Impacts Found to be Significant and Unavoidable. Council adopts the statements and findings in **F/SOC Section 2**, which is attached hereto and incorporated herein by this reference. The Proposed Plan has significant effects that cannot be mitigated to a less-than-significant level through the imposition of mitigation measures. These significant effects are identified in **F/SOC Section 2**. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR for the significant impacts identified in **F/SOC Section 2**, including based upon the

findings in **F/SOC Section 2**, and the findings in **F/SOC Section 5** regarding the proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

- (4) Findings Regarding Environmental Impacts Found to be Less Than Significant with Mitigation. Council adopts the statements and findings in **F/SOC Section 3** to this resolution, which is attached hereto and incorporated herein by this reference. The Proposed Plan has significant effects that can be mitigated to a less-than-significant level through the imposition of mitigation measures. These avoidable significant effects are identified in **F/SOC Section 3**. These avoidable significant effects will be reduced to a less-than-significant level with the changes that have been required in, or incorporated into, the Proposed Plans through the imposition of mitigation measures as described in **F/SOC Section 3**. These mitigation measures identified in **F/SOC Section 3** will be imposed pursuant to the MMP attached in **Chapter 4.0 to the FEIR**. All mitigation measures in the MMP are feasible.
 - (5) Findings Regarding Environmental Impacts Found to be Less Than Significant without Mitigation or No Impact. Any and all potential significant impacts discussed in the FEIR that are not subject to paragraph (3) or (4), above, as either an avoidable significant impact, or as an unavoidable significant impact, are, based on the analysis and conclusions in the Final EIR and the whole of the Records of Proceedings, to be insignificant to the environment.
 - (6) Alternatives. The City Council adopts the statements and findings on the Rejection of Project Alternatives in **F/SOC Section 5** to this resolution, which is attached hereto and incorporated herein by this reference, including findings supporting the adoption of Proposed Plan.
- (b) Final EIR Reviewed and Considered. The Council certifies that the FEIR:
- (1) has been completed in compliance with CEQA;
 - (2) was presented to the Council and that the Council has reviewed and considered the information contained in the FEIR prior to approval of the Project, and all of the information contained therein has substantially influenced all aspects of the decision by the Council; and
 - (3) reflects Council's independent judgement and analysis.
- (c) Statement of Overriding Considerations. Statement of Overriding Considerations in **F/SOC Section 6** to this resolution, which is attached hereto and incorporated herein by this reference. Council finds that each of the Significant and Unavoidable Impacts identified in **F/SOC Section 2** may be considered acceptable individually or collectively to approve the Proposed Plan.
- (d) Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6, the MMP set forth in **Chapter 4.0 to the FEIR** to this resolution, which is attached hereto and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Recommended Plans are enforceable and implemented.

- (e) Location and Custodian of Documents. The record of project approval 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.
- (f) Certification. Based on the above facts and findings, the Council of the City of Los Angeles certifies the FEIR for the Proposed Project as accurate and adequate and complies with CEQA. 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. _____, to: (a) the West Los Angeles, Palms-Mar Vista-Del Rey Community Plans, West Adams-Baldwin Hills-Leimert, Land Use Element of the General Plan.
5. Implementing Ordinances. The policies of the West Los Angeles, Palms-Mar Vista-Del Rey Community Plans, West Adams-Baldwin Hills-Leimert Community Plans are implemented through zone changes and the implementing ordinance, the Exposition Corridor Transit Neighborhood Plan (Specific Plan).
6. Reversion to Prior Community Plan. To the extent the Amendments to the West Los Angeles, Palms-Mar Vista-Del Rey Community Plans, West Adams-Baldwin Hills-Leimert Los Angeles Community Plans are enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the West Los Angeles, Palms-Mar Vista-Del Rey Community Plans, West Adams-Baldwin Hills-Leimert Community Plans (as adopted in 1999, 1997 and 2016, respectively) 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.
7. Effective Date. This resolution shall be effective upon the adoption by the City Council of the following implementing ordinances: the Exposition Corridor Transit Neighborhood Plan (Specific Plan) and through the adoption of zone and height district changes.

Attachments:

1. Appendices B and C of the FEIR (CEQA Findings of Fact and Statement of Overriding Considerations)
2. Exhibit ____ (FEIR)
3. Exhibit ____ (Proposed Plan)