

ORDINANCE NO. 170175

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LOS ANGELES, CALIFORNIA APPROVING AND ADOPTING  
THE REDEVELOPMENT PLAN FOR THE BROADWAY/  
MANCHESTER RECOVERY REDEVELOPMENT PROJECT

WHEREAS, the City Council on April 2, 1993 directed The Community Redevelopment Agency of the City of Los Angeles, California (the "Agency") to prepare revitalization strategies for areas affected by the civil unrest that began on April 29, 1992; and

WHEREAS, the Agency and the Planning Commission of the City of Los Angeles (the "Planning Commission") cooperated in the preparation and approval of a Preliminary Plan selecting the boundaries of the proposed Broadway/Manchester Recovery Redevelopment Project ("Project Area"); and

WHEREAS, the Agency has formulated and prepared the proposed Redevelopment Plan for the Broadway/Manchester Recovery Redevelopment Project Area (the "Redevelopment Plan"); and

WHEREAS, in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, ("CEQA"), the Guidelines for Implementation of the California Environmental Quality Act and environmental procedures adopted by the Agency pursuant thereto, the Agency prepared and circulated for public review and comment a Draft Environmental Impact Report, (the "Draft EIR") for a proposed Broadway/Manchester Recovery Program which includes the Project Area; and

WHEREAS, after a duly noticed public hearing on the Draft EIR and the incorporation of comments and recommendations received and Agency responses thereto into a Final Environmental Impact Report (the "Final EIR"), the Agency by Resolution certified that the Final EIR was prepared and completed in compliance with CEQA and State and local guidelines and procedures adopted pursuant thereto; and

WHEREAS, the Broadway/Manchester Community Advisory Committee (the "CAC") for the Project Area has consulted with the Agency, reviewed the proposed Redevelopment Plan and related documents and made its Report and Recommendation supporting the proposed Redevelopment Plan; and

WHEREAS, the Planning Commission adopted its Staff Report and Recommendation approving adoption of the proposed Redevelopment Plan and finding that the proposed Redevelopment Plan conforms to the General Plan of the City; and

WHEREAS, the Agency submitted the proposed Redevelopment Plan, to the City Council, together with the Report to the City Council which includes: the reasons for selecting the proposed Project Area; a description of the physical, social and economic conditions existing in the Project Area causing blight; a description of specific projects proposed by the Agency and how they will improve or alleviate blight; an implementation plan that describes goals and objectives of the Agency, specific projects then proposed, including a program of actions and expenditures proposed for the first five years of the Redevelopment Plan and a description of how these projects will improve or alleviate blighting conditions; an explanation of why the elimination of blight and redevelopment of the Project Area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the use of financing alternatives other than tax increment financing; the proposed method of financing the redevelopment of the Project Area so that the City Council can determine the economic feasibility of the Plan; a method and plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities as a result of the proposed Redevelopment Plan; an analysis of the Preliminary Plan; the Report and Recommendation of the Planning Commission; a summary record of the CAC proceedings and CAC recommendations; the Final EIR; the report of the County Fiscal Officer and the Agency's analysis thereof; a summary of consultations with taxing agencies; and a Neighborhood Impact Report; and

WHEREAS, the City Council and the Agency held a joint public hearing on December 6, 1994 to consider the approval and adoption of the proposed Redevelopment Plan for the Project Area; and

WHEREAS, notice of said hearing was duly and regularly published in a newspaper of general circulation in the City of Los Angeles once a week for four successive weeks prior to the date of said hearing, and a copy of said notice and affidavits of publication are on file with the City Clerk and at the office of the Agency; and

WHEREAS, copies of the notice of joint public hearing were mailed to residential and business tenants and to the last known assessee of each parcel of land in the Project Area by first class mail; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which levies taxes upon property in the Project Area; and

WHEREAS, the Agency this date adopted a resolution recommending that the City Council approve and adopt the proposed Redevelopment Plan as changed; and

WHEREAS, by separate Resolutions, the Agency and this City Council certified that the information contained in the Final EIR had been reviewed and considered, made all necessary findings and determinations, adopted a Statement of Overriding Considerations and a Reporting and Monitoring Program for Implementation of Mitigation Measures, pursuant to the requirements of CEQA; and

WHEREAS, the City Council has considered the proposed Redevelopment Plan as changed, the Agency's Report to the City Council, other recommendations of the Agency, the Report and Recommendation of the Planning Commission, the Report and Recommendation of the CAC, the economic feasibility of the proposed Redevelopment Plan, and the Final EIR; has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for and against any and all aspects of the proposed Redevelopment Plan, including environmental impacts; and has responded in writing to each written objection of each affected property owner or taxing entity.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ANGELES DOES ORDAIN AS FOLLOWS:

SECTION 1. The purposes and intent of the City Council are to achieve the following goals and objectives with respect to the Project Area:

1. Encourage the involvement and participation of residents, business persons, property owners, and community organizations in the redevelopment of the community.
2. Preserve and increase employment, and business and investment opportunities through redevelopment programs and, to the greatest extent feasible, promote these opportunities for disadvantaged minorities and women. To the maximum extent possible, jobs created as a result of redevelopment activities shall be of benefit to residents who reside in or adjacent to the Broadway/Manchester community.
3. Promote a balanced community meeting the needs of the residential, commercial and industrial sectors.
4. Improve the quality of the environment, promote a positive image for the area and provide a safe environment through mechanisms such as:
  - (a) adopting land use standards;
  - (b) promoting architectural and urban design standards including: standards for height, building setback, continuity of street facade, building materials, and compatibility of new construction with existing structures and concealment of mechanical appurtenances;
  - (c) promoting landscape criteria and planting programs to ensure additional green space;
  - (d) promoting sign and billboard standards;
  - (e) coordinating the provision of high quality public improvements;

- (f) integrate public safety concerns into planning efforts.
5. Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.
  6. Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, traffic and circulation programming, development of open spaces and other support services.
  7. Support and encourage a circulation system which will improve the quality of life in the Project Area, including pedestrian, automobile, parking and mass transit systems with an emphasis on serving existing facilities and meeting future needs.
  8. Promote and encourage the development of health, education, child and youth care, and senior citizen facilities and programs to enable the development of a community with a variety of lifestyles.
  9. Promote and encourage the development of recreational and cultural facilities and open spaces necessary to support attractive residential neighborhoods and commercial centers.
  10. To the maximum extent feasible, seek to build replacement housing within close proximity to the Project Area prior to the demolition or removal of dwelling units which house low and moderate income people. The Agency shall make a good faith effort to relocate displacees within close proximity to the Project Area unless they choose to relocate elsewhere. Project displacees shall be provided a priority for occupancy in housing which the Agency has facilitated.
  11. Increase the supply and improve the quality of commercial/retail shopping opportunities for area residents and promote the development of a variety of commercial retail outlets to respond to the severe shortage of such opportunities in the vicinity of the proposed Project Area.
  12. Seek development opportunities for the proposed Entertainment Center, Community Commercial Center, Convenience/Municipal Services Center, Community Center, Manchester Avenue Mixed Uses, Industrial Core and vacant lots.
  13. Implement the Recovery Program as directed by the City Council in the aftermath of the civil unrest which began on April 29, 1992.

SECTION 2. That certain document entitled "Redevelopment Plan for the Broadway/Manchester Recovery Redevelopment Project," as changed, the map and legal description contained therein, and such other documents as are incorporated therein by reference, having been duly reviewed and considered, is hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated is hereby designated, approved, and adopted as the official redevelopment plan for the Project Area.

SECTION 3. The City Council hereby finds and determines, based on substantial evidence in the record including, but not limited to, the Agency's Report to Council, and all documents referenced therein, and evidence and testimony received at the joint public hearing on adoption of the Redevelopment Plan held on December 6, 1994, that:

- a. The Project Area is blighted, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*).

This finding is based on the following physical and economic conditions which characterize the Project Area: The existence of buildings and structures in varying states of deterioration and dilapidation (Report to City Council ("Report"), § V.C.); The existence of buildings and structures with defective and substandard design of physical construction and incompatible uses (*Id.*, § V.E.); The existence of buildings and structures of mixed character and shifting uses (*Id.*, § V.); The existence of lots of irregular form, shape and inadequate size (*Id.*, § V.G.); The existence of high diversity of property ownership (*Id.*, § VI.); The existence of public improvement deficiencies and faulty and inadequate utilities, including street, curb, sidewalk and gutter deficiencies, inadequate parking and circulation deficiencies and inconvenient access to and from commercial parcels (*Id.*, § V.H. & G.); The existence of litter, debris and graffiti and the existence of depreciated and stagnant property values (*Id.*, § V.F.); The existence of impaired investments including, hazardous waste contamination, declining property transfers in terms of dollars invested and total transactions (*Id.*, § VI.E.); The existence of high business vacancies and relatively low rental and lease rates and vacant lots (*Id.*, § VI.F.); The existence of a lack of necessary commercial facilities (*Id.*, § VI.G.); The existence of residential overcrowding (*Id.*, VI.H.); and Serious crime problems in and around the Project Area (*Id.*, § VI.I.).

- b. The Redevelopment Plan will redevelop the Project Area in conformity with the California Community Redevelopment Law and in the interests of the public peace, health, safety and welfare.

This finding is based upon the fact that the purposes of the Community Redevelopment Law would be attained by a program of redevelopment activities proposed by the Agency that will systematically address the

conditions of blight within the Project Area; offer financial assistance for rehabilitation and conservation of structures in need of slight or moderate rehabilitation, coupled with selective property acquisition, demolition and relocation as necessary to remove the conditions of buildings suffering from deterioration and dilapidation and defective design and character of physical construction; improve traffic circulation deficiencies by reconstruction and construction of streets, and intersection capacity improvements; acquisition of lots of irregular form, shape and size for assembly into parcels suitable for development; selective acquisition of key properties, with demolition and relocation as needed, to solve the problem of mixed character of building and shifting uses; alleviate blighting influences in the Project Area to create an investment environment in which property owners and private developers have the incentive and means to redevelop their properties; alleviate current constraints to rehabilitation and development in the Project Area; alleviate obstacles that currently exist to new development in commercial and industrial sectors through the Agency's public improvements program; stimulate the job producing economy in the Project Area by creating more employment opportunities for skilled, semi-skilled and unskilled labor forces. (*Id.*, II.A.,B. & C.).

- c. The adoption and carrying out of the Redevelopment Plan is economically sound and feasible.

This finding is based on the fact that the Redevelopment Plan authorizes the Agency to finance project implementation activities with financial assistance from the City, State, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, participation in development, or any other available sources, both public or private. Potential revenue sources include tax increment receipts; sales tax revenues; proceeds from tax increment bonds; and notes, loans, grants and contributions from the City, County, State, federal government and project developers. Estimated total project costs and projected project revenue show that sufficient financial resources will be available, and that the carrying out of the Redevelopment Plan is economically sound and feasible. (*Id.*, § VII.).

- d. The Redevelopment Plan conforms to the General Plan of the City, including, but not limited to the Housing Element.

This finding is based on the Report and Recommendation of the Planning Commission, and the fact that the land use and land use controls of the Redevelopment Plan and the General Plan are consistent. (*Id.*, § XIII.).

- e. The carrying out of the Redevelopment Plan will promote the public peace, health, safety and welfare of the City, and will effectuate the purposes and policies of the Community Redevelopment Law.

This finding is based on the fact that redevelopment will benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic and physical conditions of the Project Area, and by increasing employment opportunities. (*Id.*, § II.).

- f. The condemnation of real property is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law.

This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out to eliminate and prevent the recurrence of blight subject to the limitations contained in the Plan, and the fact that no property will be acquired unless adequate funds are available to pay full compensation therefor in accordance with law.

- g. The Agency has a feasible method and plan for the relocation of families and persons who might be displaced, temporarily or permanently, from housing facilities in the Project Area. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to the Community Redevelopment Law.

This finding is based upon the fact the Agency has a comprehensive program for the relocation of persons, families, businesses or tenants displaced by Agency project activities. When such displacement occurs, the Agency will provide persons, families, business owners and tenants displaced by Agency activities with monetary and advisory relocation assistance consistent with the California Relocation Assistance Law (Government Code, Section 7260 *et seq.*), the State Guidelines adopted and promulgated pursuant thereto, Relocation Assistance Rules adopted by the Agency, the Plan and Method of Relocation, and the provisions of the Redevelopment Plan. (*Id.*, § IX.).

- h. There are, or shall be provided, within the Project Area, or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who might be displaced from the Project Area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to provisions of the Community Redevelopment Law.

This finding is based upon the fact that no person or family will be required to move from any dwelling unit until suitable relocation housing is available for occupancy, and that such housing must meet the standards established

in State law and regulations. (*Id.*, § IX.). In addition, the Agency's program includes provisions for the replacement of low and moderate income housing removed from the market as a result of Agency activities. (*Id.*, § VIII.C.).

- i. Inclusion of any lands, buildings, or improvements which are not detrimental to public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part, and any such area is not included solely for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion.

The justification for inclusion of such properties is that they are necessary: to plan and carry out redevelopment of the Project Area as a uniform whole in order to effectuate redevelopment of the Project Area; to impose uniform requirements over geographically defined and identified areas of the City; because such properties are impacted by the substandard conditions existing on surrounding properties, and correction of such conditions may require the imposition of design, development, or use requirements on the standard properties in the event they are rehabilitated or redeveloped by their owners; because such properties will share in the physical, social and economic benefits which accrue to the area through the elimination of substandard conditions, including the replacement or provision of new public improvements and facilities within or serving the Project Area; and because such properties are part of an area found to be blighted.

- j. The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.

This finding is based upon the existence of blighting influences, including the lack of adequate public improvements and facilities, and the inability of individual owners and developers to economically remove these blighting influences without substantial public assistance. The Project Area is characterized by deterioration, mixed and shifting uses, and faulty exterior spacing. Existing owners and outside developers are precluded from revitalizing or redeveloping these properties because of the multiplicity of property ownerships and the prevalence of lots of irregular form and shape and inadequate size. The inability of private enterprise to revitalize these areas in part, has resulted from the high land values and presence of hazardous materials. This economic stagnation has had a significant impact on the City. (*Id.*, II.D.).

- k. The Project Area is a predominantly urbanized area as defined in the Community Redevelopment Law.

This finding is based upon the fact that all property in the Project Area has been or is developed for urban uses. (*Id.* II.E.).

- l. The time limitation that is contained in the Redevelopment Plan is reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area.
- m. The City Council is satisfied that permanent housing facilities will be available within three (3) years from the time occupants of the Project Area are displaced and pending the development of the facilities there will be available to displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. This finding is based on the Agency's assurances regarding displaced residents and relocation housing.

SECTION 4. All written and oral objections to the Redevelopment Plan filed with and presented to the City Council, if any, and all written responses thereto, have been considered by the City Council at the time and in the manner required by law, and such written and oral objections are hereby overruled.

SECTION 5. By adopting this Plan, the Agency and the City hereby acknowledge the existing Broadway/Manchester Community Advisory Committee (CAC) as the entity that has provided public participation and input during the Plan adoption process to date. The CAC shall continue in existence for the life of the Redevelopment Plan. There shall be an "Industrial Core Subcommittee" of the CAC which shall be consulted with where applicable whenever the CAC is consulted under the Redevelopment Plan. In the event that during the tenure of this Plan, a Project Area Committee (PAC) is formed pursuant to Health and Safety Code Section 33385, *et seq.*, the responsibilities duties and obligations set forth in this Plan relative to the CAC shall accrue to the PAC, in addition to those provided by whatever statutory authority exists at the time, and the CAC shall be replaced by the PAC.

- a. The CAC shall have twenty-one (21) members, three (3) of which shall serve by appointment of the Council member in whose district the Project Area lies, and the remaining eighteen (18) shall be elected by property owners, businesses, residents and community organizations from within the Project Area. The CAC membership shall be representative of the various land uses in the Project Area, including the Industrial Core area.
- b. CAC members shall serve three-year terms, and the terms of the current members of the CAC shall be deemed to have commenced upon the date of adoption of the Plan. Notwithstanding the foregoing, two (2) years after the date on which this Plan is adopted, the terms of nine (9) members of the elected eighteen (18) members shall terminate, and the Council person or his/her designee shall sponsor an election by Project Area property owners, businesses, residents and community organizations for these nine

(9) elected CAC seats. The identity of these nine (9) seats will be selected by lot. The CAC members elected at that election shall then serve for three years. Those seats shall be open for election every three years thereafter. The remaining nine (9) elected CAC seats shall be open for election three years after the date on which this Plan is adopted and every three years thereafter.

- c. The CAC may adopt bylaws or procedural rules consistent with Roberts Rules of Order designed to carry out the intent of this section which will govern its operation, including categories of membership to be represented, time and location of meetings, procedures for election of officers, etc.
- d. The City Council shall allocate funds or equivalent resources as determined necessary by the City Council to supply funds or equivalent resources for a committee office, equipment and supplies, legal counsel, and adequate staff for the purposes described in Section 33386. No funds allocated under Section 33388 shall be used for any litigation, other than litigation to enforce or defend the rights of the CAC.

SECTION 6. In order to implement and facilitate the implementation of the Redevelopment Plan hereby approved, this City Council hereby declares its intention to undertake and complete any proceeding necessary to be carried out by the City of Los Angeles under the provisions of the Redevelopment Plan.

SECTION 7. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Redevelopment Plan.

SECTION 8. The City Clerk is hereby directed to record with the County Recorder of Los Angeles County a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the Community Redevelopment Law.

SECTION 9. The Department of Building and Safety of the City of Los Angeles is hereby directed for a period of two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

SECTION 10. The City Clerk is hereby directed to transmit a copy of the description and statement recorded by the City Clerk pursuant to Section 9 of this Ordinance, and a map or plat indicating the boundaries of the Project Area, to the Auditor and Tax Assessor of Los Angeles County, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area, and to the State Board of Equalization.

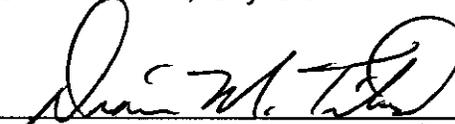
SECTION 11. If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the Redevelopment Plan if such invalid portion thereof had been deleted.

SECTION 12. This Ordinance shall be in full force and effect immediately upon its adoption pursuant to Section 2 of this Ordinance.

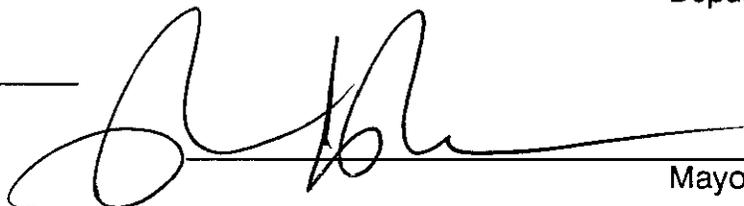
SECTION 13. The City Clerk shall certify to the passage of this Ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 13 1994, 1994.

ELIAS MARTINEZ, City Clerk

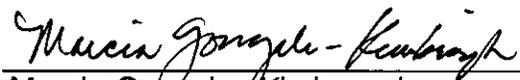
By   
Deputy

Approved DEC 19 1994

  
Mayor

Approved as to Form and Legality

December 13, 1994  
James K. Hahn, City Attorney

By   
Marcia Gonzales-Kimbrough  
Deputy City Attorney

File No. 94-2070