

# CITY OF LOS ANGELES

CALIFORNIA

KAREN E. KALFAYAN  
City Clerk



ANTONIO R. VILLARAIGOSA  
MAYOR

Office of the  
CITY CLERK

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When making inquiries  
relative to this matter,  
please refer to the Council  
File No.

07-1658

## \*ADDITIONAL NOTIFICATIONS ATTACHED\*

CDs 1, 5, 8, 9, 10 & 15

August 6, 2008

Office of the Mayor  
Councilmember Reyes  
Councilmember Weiss  
Councilmember Parks  
Councilmember Perry  
Councilmember Wesson  
Councilmember Hahn  
City Planning Department  
Attn: Beatrice Pacheco (w/copy of Ordinance)  
Director of Planning  
cc: Geographic Information Section  
Attn: Fae Tsukamoto

Bureau of Engineering,  
Land Development & Mapping Division  
Department of Transportation,  
Traffic/Planning Section  
Department of Building & Safety,  
c/o Zoning Coordinator  
cc: Residential Inspection Unit  
Bureau of Street Lighting, "B" Permit Section  
Fire Department

RE: IMPOSING INTERIM REGULATIONS ON THE ISSUANCE ON ALL PERMITS RELATED TO THE ESTABLISHMENT OF NEW FAST FOOD RESTAURANTS ON COMMERCIAL OR INDUSTRIAL ZONED PROPERTIES LOCATED ON STREETS DESIGNATED AS MAJOR HIGHWAY CLASS I, MAJOR HIGHWAY CLASS II, AND SECONDARY HIGHWAY IN THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN AREA AND PORTIONS OF THE SOUTH LOS ANGELES AND SOUTHEAST LOS ANGELES COMMUNITY PLAN AREAS

At the meeting of the Council held July 29, 2008, the following action was taken:

Attached report adopted .....	<u>X</u>
Ordinance adopted .....	<u>X</u>
Ordinance number .....	<u>180103</u>
Posted date .....	<u>08-05-08</u>
Effective date .....	<u>09-14-08</u>
Mayor approved .....	<u>08-04-08</u>
Findings adopted .....	<u>X</u>
Categorically exempt.....	<u>X</u>

City Clerk  
os



RECOMMENDATION MAILING  
CPC-2007-3827-ICO  
MAILING DATE: 11/29/07 DJ

07-1658

Mary M. Lee  
3904 Roxton Avenue  
Los Angeles, Ca 90008

George Graham  
Community Coalition  
8101 S. Vermont  
Los Angeles, Ca 90044

Aurora Flores  
116 E. Martin Luther King  
Los Angeles, Ca 90011

Joe Turner  
7600 S. Avalon Blvd.  
Los Angeles, Ca 90001

Mariela Martinez  
Community Coalition  
300 E. 84<sup>th</sup> Street  
Los Angeles, Ca 90003

Manya Anderson  
Community Coalition  
8101 S. Vermont  
Los Angeles, Ca 90044

Lou Edward  
Community Coalition  
1474 W. 36<sup>th</sup> Place  
Los Angeles, Ca 90018

Priscilla Hayes  
Community Coalition  
8101 S. Vermont Avenue  
Los Angeles, Ca 90044

M. Harris-Dawson  
Community Coalition  
8101 S. Vermont  
Los Angeles, Ca 90044

Sylvia Davis  
Community Coalition  
3924 Lasalle  
Los Angeles, Ca 90062

Gwendolyn Flynn  
Community Health Councils  
3731 Stocker Street  
Los Angeles, Ca 90008

Mrs. Norris Byrd  
8839 S. Wilton Place  
Los Angeles, Ca 90047

Fae Tsukamoto- G.I.S Section  
200 N. Spring St., 8<sup>th</sup> Floor  
Mail Stop #395

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Senior City Planner  
City Hall, Room 667  
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Marie Rumsey  
Council District No. 9  
Room 420, City Hall  
Mail Stop #215

Andrew Westall  
Council District No. 10  
Room 430, City Hall  
Mail Stop #217

Frank Hong  
Council District No. 15  
Room 435, City Hall  
Mail Stop #226

Heili Kim  
3731 Stocker Street  
Los Angeles, Ca 90008

TIME LIMIT FILES  
ORDINANCES

Mayor's Time Stamp  
OFFICE OF THE MAYOR  
RECEIVED  
2008 JUL 30 PM 3:42  
CITY OF LOS ANGELES

RECEIVED  
CITY CLERK'S TIME STAMP  
2008 JUL 30 PM 3:41  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

COUNCIL FILE NUMBER 07-1658 COUNCIL DISTRICTS 1, 5, 8, 9, 10 & 15  
COUNCIL APPROVAL DATE JULY 29, 2008 LAST DAY FOR MAYOR TO ACT AUG 11 2008  
ORDINANCE TYPE: Ord of Intent Zoning Personnel X General  
Improvement LAMC LAAC CU or Var Appeals - CPC No.

SUBJECT MATTER: IMPOSING INTERIM REGULATIONS ON THE ISSUANCE ON ALL PERMITS RELATED TO THE ESTABLISHMENT OF NEW FAST FOOD RESTAURANTS ON COMMERCIAL OR INDUSTRIAL ZONED PROPERTIES LOCATED ON STREETS DESIGNATED AS MAJOR HIGHWAY CLASS I, MAJOR HIGHWAY CLASS II, AND SECONDARY HIGHWAY IN THE WEST ADAMS-BALDWIN HILLS-LEIMERT COMMUNITY PLAN AREA AND PORTIONS OF THE SOUTH LOS ANGELES AND SOUTHEAST LOS ANGELES COMMUNITY PLAN AREAS

PLANNING COMMISSION  
DIRECTOR OF PLANNING  
CITY ATTORNEY  
PLANNING AND LAND USE  
MANAGEMENT COMMITTEE

APPROVED	DISAPPROVED
<u>X</u>	<u>      </u>
<u>X</u>	<u>      </u>
<u>X</u>	<u>      </u>

BY \_\_\_\_\_  
CITY CLERK  
DEPUTY

RECEIVED  
CITY CLERK'S OFFICE  
2008 AUG -5 AM 9:05  
AUG 04 2008

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR \*VETO \_\_\_\_\_  
(\*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR AUG 05 2008 ORDINANCE NO. 180103  
DATE PUBLISHED \_\_\_\_\_ DATE POSTED AUG 05 2008 EFFECTIVE DATE SEP 14 2008  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES        NO

14

TO THE COUNCIL OF THE  
CITY OF LOS ANGELES

7-29  
FILE NO. 07-1658

Your                      **PLANNING AND LAND USE MANAGEMENT**                      **Committee**

reports as follows:

CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE imposing interim regulations on the issuance on all permits related to the establishment of new fast food restaurants on commercial or industrial zoned properties located on streets designated as Major Highway Class I, Major Highway Class II, and Secondary Highway in the West Adams-Baldwin Hills-Leimert Community Plan Area and portions of the South Los Angeles and Southeast Los Angeles Community Plan Areas.

Recommendations for Council action, as initiated by Motion (Perry - Parks), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this action is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15308, Class 8, of the California Environmental Quality Act Guidelines.
2. ADOPT the July 3, 2008, FINDINGS of the Director of Planning, as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE imposing interim regulations on the issuance on all permits related to the establishment of new fast food restaurants on commercial or industrial zoned properties located on streets on streets designated as Major Highway Class I, Major Highway Class II, and Secondary Highway in the West Adams-Baldwin Hills-Leimert Community Plan Area and portions of the South Los Angeles and Southeast Los Angeles Community Plan Areas.

Applicant: City of Los Angeles

CPC 2007-3827-ICO

Fiscal Impact Statement: The City Planning Commission reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

Summary:

On July 22, 2008, the Planning and Land Use Management (PLUM) Committee considered a City Attorney report and Interim Control Ordinance (ICO) establishing temporary regulations for the issuance of all permits related to the establishment of new fast food restaurants on commercial or industrial zoned properties located on streets designated as Major Highway Class I, Major Highway Class II, and Secondary Highway in the West Adams-Baldwin Hills-

Leimert Community Plan Area and portions of the South Los Angeles and Southeast Los Angeles Community Plan Areas.

On December 11, 2007, the PLUM Committee considered and approved the Planning Commission's report and recommendations relative to the proposed ICO, as initiated by Motion (Perry - Parks), and requested the City Attorney to prepare the final Draft Ordinance. The affected Council Districts are 1, 5, 8, 9, 10. It was reported that Council District 15 was not a part of the ICO. (Council District 5 was added by the Planning Department staff at the hearing).

During PLUM Committee discussions, staff from the Planning Department briefly described the ICO. In the Planning Commission report dated November 29, 2007, it is noted that, "the interim regulations is essential to prevent further adverse impacts (i.e., litter and traffic impacts) resulting from an increase in fast-food restaurants which if unregulated can degrade the quality of life for the residents in South Los Angeles.

Councilmember Jose Huizar asked for further clarification of the term "fast food restaurant." In particular, he was asking about the phrase "a limited menu." The City Attorney advised that there is an existing definition of the term "limited menu" in provisions related to site plans. The City Attorney further advised that the type of menu was just one of the characteristics of a fast food restaurant. The other characteristics are "items prepared in advance or prepared or heated quickly, no table order and food served in disposable wrapping or containers. Developers want to establish fast food restaurants in areas described in the ordinance would be required to apply for a discretionary approval that would address the identified land use impacts. In addition, a property owner could also apply for a hardship exemption from the ICO. Councilmember Jose Huizar suggested that the Planning Department in consultation with the City Attorney, further review the current definition of "limited menu," prior to the matter being scheduled in Council.

Many speakers at the hearing including Councilmembers Jan Perry, representing Council District Nine, and Councilmember Bernard C. Parks representing Council District Eight spoke in support of the ordinance, and a healthier choice of foods. No testimony in opposition to the ordinance was present at the hearing.

Motion (Perry - Parks) notes that, the overconcentration of fast-food businesses in low-income areas, particularly along the Southeast Los Angeles commercial corridors, intensifies socio-economic problems in the neighborhoods, and creates serious public health problems through poor nutrition for the children, magnets for juvenile delinquency, and a proportionally much higher cost for food.

Both Councilmember Perry and Parks provided detailed information at the hearing relative to the land use and socio-economic impacts of overconcentration of fast food restaurants in the South and Southeast areas of Los Angeles. Councilmember Perry reported that her district of approximately 32 square miles, contains the most fast food restaurants in the City. It was reported that the proposed ordinance is not a ban, but rather the ICO establishes interim controls for the establishment of new stand-alone fast food restaurants. Councilmember Parks noted that there is information which suggests a correlation in the consumption of fast food and health issues, such as diabetes and high blood pressure.

Both Councilmembers provided a great amount of detail in their presentations which is available in audio format in the City of Los Angeles, Office of the City Clerk. In addition, it was noted that in some areas, that there is an insufficient number of supermarkets and sit-down restaurants. It also suggested that incentives be provided to supermarkets and restaurant developers to increase their numbers in the areas impacted by the overconcentration of fast food establishments.

After careful consideration of the documents on file, and of the testimony presented at the hearing, the PLUM Committee recommended that Council approve the Ordinance.

The matter is hereby transmitted to Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
WEISS:	YES

BG  
7-22-08  
CDs 1, 5, 8, 9, & 10

#071658

*E. P. Reyes*  
*fh*  
*Rept, ORD*  
*& Findings*  
**ADOPTED**

JUL 29 2008

LOS ANGELES CITY COUNCIL

*CAT EXEMPT APPROVED*