

ORDINANCE NO. 180695

An ordinance amending and restating the redevelopment plan for the Earthquake Disaster Assistance Project for the Laurel Canyon Commercial Corridor in Council District 2 redevelopment project area.

**WHEREAS**, the Redevelopment Plan ("Redevelopment Plan") for the Laurel Canyon Commercial Corridor Redevelopment Project Area (formerly the Earthquake Disaster Assistance Project for the Laurel Canyon Commercial Corridor in Council District 2) (Project or Project Area) was adopted on December 9, 1994 by Ordinance No. 170157 and certain time limits were extended on October 20, 1999 by Resolution No. 5920 of the City Council, and was subsequently amended four times to further extended and/or reset time limits in conformity with State law on November 21, 2003 by Ordinances No. 175672 and 15673, on December 19, 2006 by Ordinance No. 178163 and on August 21, 2008 by Ordinance No. 180,166; and

**WHEREAS**, the Redevelopment Plan was originally adopted to provide for and facilitate the repair, restoration, demolition and/or replacement of property or areas or facilities damaged as a result of a disaster in a disaster-stricken area (the Northridge Earthquake) and/or perform specific actions necessary to prevent or mitigate an emergency pursuant to the Disaster Project Law; and

**WHEREAS**, the Community Redevelopment Agency of the City of Los Angeles (CRA/LA) has successfully undertaken numerous programs to assist property owners in the Project Area in recovering from the Northridge Earthquake; and

**WHEREAS**, despite the CRA/LA's successful efforts to assist property owners with repairing and redeveloping properties damaged by the Northridge Earthquake, areas of the Project Area continue to exhibit signs of blight that private efforts have been unsuccessful in remediating; and

**WHEREAS**, the CRA/LA has determined that the remaining blight in the Project Area can only be remediated with certain amendments to the Redevelopment Plan, including extensions of time limits and the provision of acquisition of property through the use of eminent domain; and

**WHEREAS**, to that end, the CRA/LA has formulated and prepared the proposed Fifth Amended and Restated Redevelopment Plan (Fifth Amended Redevelopment Plan) for the Project Area; and

**WHEREAS**, a Final Environmental Impact Report (Final EIR) for the Project was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq.*), and State and CRA/LA Guidelines implementing CEQA; and

**WHEREAS**, the Planning Commission on March 26, 2009 made its report and recommendation supporting the Fifth Amended Redevelopment Plan and finding that

the Fifth Amended Redevelopment Plan conforms to the General Plan of the City, including the North Hollywood-Valley Village Community Plan; and

**WHEREAS**, the CRA/LA submitted the Fifth Amended Redevelopment Plan to the City Council, together with the Report to the City Council; and

**WHEREAS**, the City Council and the CRA/LA held a joint public hearing on April 28, 2009 to consider the approval and adoption of the Fifth Amended Redevelopment Plan, which joint public hearing was held with the consent of both the CRA/LA and the City Council; and

**WHEREAS**, notice of said hearing was published in a newspaper of general circulation in the City of Los Angeles; and

**WHEREAS**, copies of the notice of joint public hearing were mailed to residents and businesses 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 CRA/LA adopted a resolution recommending that the City Council approve and adopt the Fifth Amended Redevelopment Plan; and

**WHEREAS**, by separate Resolutions, the CRA/LA and this City Council certified that the information contained in the Final EIR has been reviewed and considered, made all necessary findings and determinations, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring Program, all pursuant to the requirements of CEQA and its implementing guidelines; and

**WHEREAS**, by separate Resolution, the CRA/LA adopted the Implementation Plan for the Project Area for fiscal years 2010-2014, which Implementation Plan was prepared in accordance with Health and Safety Code Sections 33490 et seq.; and

**WHEREAS**, at or prior to the joint public hearing on the Fifth Amended Redevelopment Plan, the City Council and the CRA/LA Board of Commissioners received certain written comments on the Fifth Amended Redevelopment Plan. Responses to the comments received were prepared and adopted by the City Council prior to the introduction of this Ordinance; and

**WHEREAS**, the City Council has considered the Fifth Amended Redevelopment Plan, the CRA/LA's Report to Council, other recommendations of the CRA/LA, the report and recommendation of the Planning Commission, 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 Fifth Amended Redevelopment Plan, including environmental impacts.

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

Section 1. The City Council hereby finds and determines that all of the foregoing recitals are true and correct.

Sec. 2. The purposes and intent of the City Council are the achievement of the following goals and objectives with respect to the Project Area:

1. The provision of financial and technical assistance to owners and tenants of damaged residential, commercial and other real property and improvements or properties exhibiting blighting conditions.
2. The maintenance and promotion of private sector investment within the Project Area to prevent the loss of and to restore commercial sales activity.
3. The retention and restoration of a thriving commercial district by means of redevelopment activities by encouraging and assisting the cooperation and participation of owners, businesses, non-profit and local development corporations and public agencies in the recovery of the Project Area.
4. The development of programs and projects that encourage owner participation, and which encourage tenants to re-enter buildings that have been reconstructed or newly developed during implementation of this Plan.
5. The improvement of the quality of life and the environment, and the promotion and preservation of a positive image and safe environment for the community.
6. The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Plan.
7. The preservation of the Project Area's existing employment base and the restoration of local job opportunities affected by the Earthquake or other blighting conditions.
8. The redevelopment of areas which are damaged, stagnant or adversely impacted as a result of the Earthquake or other blighting conditions.
9. The repair or amelioration of the vehicular circulation systems; water, and storm drainage systems; off-street parking; and other similar public improvements, facilities and utilities whose deficiencies adversely affect the Project Area's redevelopment.
10. The replacement and improvement of the community's supply of housing (inside or outside the Project Area), including opportunities for low- and moderate-income households.
11. The preparation of planning and implementation programs focused on the need to facilitate the reconstruction and recovery of residential and commercial areas, particularly where damage or blight is concentrated.

12. The provision of input from affected property owners, residents, businesses and community organizations, with the assistance of the Council Offices to insure wide-spread public information and input as recommendations for redevelopment are prepared for City Council consideration.
13. The development of programs that would create incentives and support services to involve community organizations, such as non-profit developers, in redevelopment and revitalization activity. First priority of all such programs will be given to local persons who reside in the Project Area or persons or entities who own property or businesses in the Project Area.
14. The promotion and encouragement of the retention and redevelopment of all segments of the arts and recreation community as valuable parts of the Project Area, as well as the support facilities necessary to foster the arts and recreation.

Sec. 3. The City Council hereby approves and adopts the Fifth Amended Redevelopment Plan for the Laurel Canyon Commercial Corridor Redevelopment Project Area. The Fifth Amended Redevelopment Plan and the map contained therein, and such other documents as are incorporated therein by reference, having been duly reviewed and considered, are hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated are collectively hereby designated, approved, and adopted as the official Fifth Amended Redevelopment Plan for the Project Area.

Sec. 4. The City Council hereby finds and determines, based on substantial evidence in the record, including, but not limited to, any evidence specified after each of the following findings, the CRA/LA's Report to Council and all documents referenced therein, oral and written staff reports, and evidence and testimony received at the joint public hearing on the adoption of the Fifth Amended Redevelopment Plan, that:

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

The basis of this finding includes, but is not limited to, the following facts: the facts set forth in Sections II and III of the Report to Council regarding the physical and economic blighting conditions which remain in the Project Area, and the findings made in Ordinance No. 170157 adopted on December 9, 1994 by the City Council.

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

This finding is based upon, but not limited to, the following, which show that the purposes of the Community Redevelopment Law would be attained, by programs and projects of redevelopment activities proposed by the CRA/LA for the Project Area: there are two (2) main overall

implementation programs and projects the CRA/LA proposes to undertake, which will address the remaining blighting conditions of the Project Area. The Five-Year Implementation Plan (Section VI of the Report to Council) provides a description of these specific programs and projects for FY2010-2014. Reference is made to the Five-Year Implementation Plan (Section VI) for more specific information regarding the CRA/LA's proposed programs and projects. The following is a brief description of the 2 programs and projects:

1. Valley Plaza Redevelopment Program

The Valley Plaza Redevelopment will involve the redevelopment of the portion of the Valley Plaza Shopping Center south of Victory Boulevard into an approximately 777,000 square foot lifestyle retail center which is expected to include a department store, multiplex cinema, retail and restaurant space and a parking structure. The CRA/LA may participate in the Valley Plaza Redevelopment project by assisting with the relocation of the portion of Valley Plaza Park adjacent to the existing shopping center to the Laurel Plaza site. The CRA/LA may also provide financial assistance for improvements to the new public park. The CRA/LA may also provide assistance with property acquisition, site preparation, infrastructure improvements and a streetscape program.

2. Housing Program

The CRA/LA has a Response to Housing Opportunities Program in the Project Area. The program monitors on-going construction activity, evaluates development proposals and provides technical and financial assistance when appropriate and beneficial to the Project Area. This program will eliminate blight by providing housing opportunities for very low-, low- and moderate-income households. The objectives of the Program are to increase, improve and preserve affordable housing in the Project Area and to satisfy the requirements of Sections 33334.2, 33334.4, 33334.6 and 33413 of the Community Redevelopment Law.

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

The basis of this finding includes, but is not limited to, the following: the anticipated costs to implement a program of revitalization in the Project Area will require significant participation by the CRA/LA. Costs for the implementation of the proposed non-housing redevelopment program were estimated to be approximately \$112,595,000 over the remaining life of the Fifth Amended Redevelopment Plan. Tax increment revenue is projected to be in the range of \$227,284,000 after deposits of the required funds in the Low and Moderate Income Housing fund. At the discretion of the CRA/LA other funding sources may also represent viable funding alternative for economic feasibility and the Fifth Amended Redevelopment Plan does not affect the CRA/LA's authority to continue to finance the

Project Area with financial assistance from the City, State of California, federal government, tax increment funds, interest income, CRA/LA bonds, donations, loans from private financial institutions, the lease or sale of CRA/LA-owned property, participation in development, or any other legally available source, public or private. The proposed Fifth Amended Redevelopment Plan will also not affect the CRA/LA's authority to obtain advances, borrow funds and create indebtedness in carrying out the Fifth Amended Redevelopment Plan. The principal and interest on such advances, funds and indebtedness may continue to be paid from tax increment or any other funds available to the CRA/LA.

- d. The Fifth Amended Redevelopment Plan, is consistent with the North Hollywood-Valley Village Community Plan and the City's General Plan, including, but not limited to, the City's Housing Element, which substantially complies with applicable legal requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.

The basis of this finding includes, but is not limited to, the report and recommendation of the Planning Commission included as Section X of the Report to Council.

- e. The carrying out of the Fifth Amended 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.

The basis of this finding includes, but is not limited to, the fact that under the Fifth Amended Redevelopment Plan the CRA/LA will be able to continue to address and correct blighting conditions in the Project Area, for the purposes (among others) of upgrading infrastructure and the shopping/working environment; improving availability, quality and variety of goods and services; providing greater convenience and safety; providing new and rehabilitated housing; and creating new jobs and job training opportunities.

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

This finding is based upon, without limitation, the fact that the following Project Area goals and objectives (among others) may not be able to be achieved without the condemnation of real property: (1) the retention and restoration of a thriving commercial district; (2) the improvement of the quality of life and the environment and the provision and preservation of a positive image and safe environment for the community; (3) the

achievement of an environment reflecting a high level of concern for architectural, landscape and urban design and land use principles appropriate for the attainment of the objectives of the Redevelopment Plan; (4) the preservation of the Project Area's existing employment base and the restoration of local job opportunities affected by blighting conditions; (5) providing housing choices and increasing the supply and improving the quality of housing for all income and age groups. One of the primary blighting conditions in the Project Area continues to be the fragmented property ownership in the Valley Plaza Shopping Center which has deterred private investment in the center and resulted in continuing blighting conditions. The use of eminent domain may be the essential tool to assist in reconstruction of the center. The CRA/LA Projects and Programs, as set forth in Section IV of the Report to Council include potential land acquisition. Section V of the Report to Council includes as potential project costs, land acquisition costs and the financial feasibility analysis in Section V of the Report to Council demonstrates that the CRA/LA has sufficient resources to undertake such acquisition. In addition, the CRA/LA has adopted and included in the Report to Council as Section VIII a Plan and Method of Relocation for the Redevelopment Project which provides for relocation and the provision of relocation assistance pursuant to all applicable State and Federal laws.

- g. The CRA/LA has a feasible method or plan for the relocation of families and persons displaced from the Project Area in the event that the implementation of the Fifth Amended Redevelopment Plan results in temporary or permanent displacement of any occupants of housing facilities in the Project Area.

This finding is based upon, but not limited to, the Plan and Method of Relocation for the Laurel Canyon Commercial Corridor Redevelopment Project adopted by the CRA/LA and contained in the Report to Council in Section VIII, and the CRA/LA's commitment, in the event of such displacement, to provide persons, families, business owners and tenants so displaced 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, the Plan and Method of Relocation, the Rules and Regulations for Implementation of the California Relocation Assistance and Real Property Acquisition Law adopted by the CRA/LA on November 5, 1998, ("Agency Relocation Rules and Regulations"), and the provisions of the Fifth Amended Redevelopment Plan.

- h. There are, or shall be provided, in the Project Area, or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe

and sanitary dwellings equal in number to the number of and available to the displaced families and persons and reasonably accessible to their places of employment. Moreover, families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Community Redevelopment Law Sections 33411 and 33411.1, and 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 Community Redevelopment Law Sections 33334.5, 33413 and 33413.5.

These findings are based upon, but not limited to, 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 the fact that such housing must meet the standards established in State law, State Guidelines, the Plan and Method of Relocation, the CRA/LA Relocation Rules and Regulations, and the Fifth Amended Redevelopment Plan.

- i. There are no non-contiguous areas of the Project Area.
- 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 assistance of the CRA/LA.

This finding is based upon, but not limited to, Section III and VIII of the Report to Council.

- k. 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 that, pending the development of the facilities, there will be available to the displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

This finding is based in part upon the CRA/LA's assurances regarding displaced residents and relocation housing and the procedures involved in implementing the CRA/LA's Plan and Method of Relocation for the Project Area and the CRA/LA's Relocation Rules and Regulations.

- l. The implementation of the Fifth Amended Redevelopment Plan will improve or alleviate the physical and economic conditions of blight in the Project Area.

This finding is based on information and analysis set forth in the Record, with particular reference to Sections II, III, IV and VII of the Report to Council, and briefly summarized as follows. As detailed in Section VII of the Report to Council, the property owners of the Valley Plaza have been

unable to redevelop the shopping center in large part because of the number of small parcels in multiple ownership. The property owners have been unable to agree on increasing assessments to make needed improvements or a strategy to market the shopping center which has resulted in conditions continuing to deteriorate in the shopping center. The CRA/LA, with the additional financial resources provided by the Fifth Amended Redevelopment Plan, will be able to assist in property acquisition, infrastructure improvements and affordable housing programs that will improve the area and allow for a coordinated and unified response to the existing economic and physical bighting conditions.

Sec. 5. All written and oral objections to the Fifth Amended Redevelopment Plan, if any, filed with and presented to the City Council and any 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.

Sec. 6. In order to implement and/or facilitate the implementation of the Fifth Amended 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 Fifth Amended Redevelopment Plan. To the extent the Fifth Amended Redevelopment Plan provides for expenditures of any money by the City, the City hereby provides for such expenditure.

Sec. 7. The City Clerk is hereby directed to send a certified copy of this Ordinance to the CRA/LA, whereupon the CRA/LA is vested with the responsibility for carrying out the Fifth Amended Redevelopment Plan.

Sec. 8. If any part of this Ordinance or the Fifth Amended 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 Fifth Amended Redevelopment Plan, and this Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the Fifth Amended Redevelopment Plan as if such invalid portion thereof had been deleted.

Sec. 9. Recordation. The Chief Executive Officer of the CRA/LA is hereby directed to record the Amended Plan and related documents in compliance with the provisions of Sections 33373 and 33456 of the Redevelopment Law and Government Code Section 27295.

Sec. 10. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 05 2009.

KAREN E. KALFAYAN, City Clerk

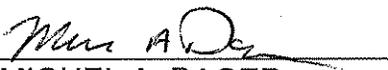
By   
Deputy

Approved \_\_\_\_\_

  
MAY 15 2009  
Mayor

Approved as to Form and Legality

ROCKARD J, DELGADILLO, City Attorney

By   
MIGUEL A. DAGER  
Deputy City Attorney

Date 5/9/09

File No. 09-0410-S1

## DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

**Ordinance No. 180695 – Amending and restating the redevelopment plan for the Earthquake Disaster Assistance Project for the Laurel Canyon Commercial Corridor in Council District 2**

**Redevelopment Project Area** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **May 5, 2009**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **May 19, 2009** I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **May 19, 2009** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **19th** day of **May 2009** at Los Angeles, California.

  
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Maria C. Rico, Deputy City Clerk

**Ordinance Effective Date: June 28, 2009**

**Council File No. 09-0410-S1**