

Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R26-0387  
JUN 29 2026

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTIONS 12.03, 12.10.5, 12.11.5, 12.13, 12.21, 12.21.1, 12.22, 12.40, 12.41, 12.42, AND 12.43 OF ARTICLE 2, SECTIONS 13.09 AND 13.18 OF ARTICLE 3; AND SECTION 62.177 OF ARTICLE 2 OF CHAPTER VI; AND SECTION 91.7012 OF ARTICLE 1 OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE, TO UPDATE THE EXISTING LANDSCAPE ORDINANCE, TO ESTABLISH LANDSCAPE AND SITE DESIGN STANDARDS THROUGH A CORRESPONDING POINT SYSTEM, AND TO DEFINE AND STREAMLINE PROVISIONS RELATED TO OUTDOOR AMENITY AREAS**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 24-1399

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance, also known as the Landscape and Site Design Ordinance (Draft Ordinance), would amend various sections of the Los Angeles Municipal Code (LAMC) to: (1) replace the existing Landscape Ordinance, (2) establish Landscape and Site Design Standards with a corresponding point system, and (3) define and streamline provisions related to Outdoor Amenity Areas.

If enacted, the Draft Ordinance and its associated development standards that will be implemented through a corresponding point system are intended to: support



development patterns that promote physical activity and healthy communities; address climate change and improve air quality through the inclusion of drought-tolerant, shade-producing, and locally native plant species; and provide a comfortable and safe walking environment in the public realm. Further, the addition of an Outdoor Amenity Area definition and standards will help create functional outdoor spaces that support user needs, integrate nature into the built environment, provide shade, and promote social interaction.

### Background and Summary of Draft Ordinance Provisions

On December 3, 2024, the Planning and Land Use Management Committee (PLUM) considered a report from the City Planning Commission (CPC) regarding the instant Draft Ordinance that would replace the current 1996 Landscape Ordinance with the proposed Draft Ordinance and associated point system. (Planning Case No. CPC-2022-4856-CA.) PLUM recommended City Council (Council) approve the proposed ordinance and instruct the Chief Administrative Officer (CAO) to prepare a report about the fiscal impact of the proposed administrative review fees for the Draft Ordinance.

On January 7, 2025, two motions (both authored by Councilmembers Hernandez and Nazarian) were adopted to amend the recommendations of PLUM. The first motion, Amending Motion 11A (Hernandez-Nazarian), instructed the Department of City Planning (DCP) to:

1. Report to CPC, with modifications to the Landscape and Site Design Ordinance Point System to address the following concerns: the inclusion of amenities within publicly accessible open space, including Privately Owned Public Spaces and Ground Floor Public Open Space; the replacement of Significant Trees that are removed; and the inclusion of design standards to address the health and air quality impacts on projects in proximity to active and idle oil wells, oil refineries, gas stations, and other noxious uses.
2. Report back to the Council regarding the preservation and replacement of Significant and Protected Trees proposed to be removed in stand-alone demolition projects, inclusive of an analysis of current conditions and potential solutions, in collaboration with the Bureau of Street Services and the Los Angeles Department of Building and Safety (LADBS).
3. Report back to Council with an analysis, inclusive of the definition for Outdoor Amenity Areas and the thresholds for the requirements related to open space, to ensure that landscape and open space provisions account for the proposed increased density of housing permitted on residential-zoned property through affordable housing and other incentive programs.

The second amending motion, Amending Motion 11B (Hernandez-Nazarian), sought to incorporate technical corrections and additions, such as clarifying the scope of the Draft Ordinance for projects located in the Coastal Zone and the its relationship to other provisions of the LAMC.

On January 14, 2025, Council directed the CAO to report on the fiscal impact of the proposed Draft Ordinance's fees. DCP engaged NBS Government Finance Group (NBS) to conduct an analysis of the fees to be adopted in tandem with the Draft Ordinance, which includes one new fee and one existing fee revision under the existing Landscape Ordinance. The NBS fee analysis had originally used an average time of two hours required for landscape and site design review to determine the new fee in the amount of \$418. (Council File No. 24-1399.) On February 19, 2025, the CAO submitted a report that analyzed the fiscal impact of the proposed "Administrative Review – Landscape and Site Design Approval and Verification" fee. (Council File No. 24-1399.)

Subsequently, as part of a comprehensive fee update, DCP engaged NBS to globally review DCP's current and proposed fees. (Council File No. 09-0969-S4.) NBS updated the fee recommendation for the Draft Ordinance based on an estimated average of fourteen hours of staff review time, as reflected in Attachments 1-3 of the NBS Fee Study, transmitted to Council through an October 7, 2025 DCP Report. (Council File No. 09-0969-S4.) The increase in staff time reflects additional hours required for cross-departmental coordination on street tree permitting and final verification of compliance upon issuance of a certificate of occupancy, which is a new requirement under the Draft Ordinance. Based on an hourly rate of \$221, the resulting fee is \$1,854 at 60 percent cost recovery, and was previously adopted by Council on December 10, 2025 (Ordinance No. 188796), and is reflected in LAMC Section 19.04. (*Id.*)

The enclosed Draft Ordinance incorporates all of the requested technical modifications, includes the administrative review fee, and adds fire stations and other public utilities to the list of projects that are exempt from the Draft Ordinance, as specified in Amending Motion 11B and reflected in DCP's January 6, 2025 Modifications and Corrections for Proposed Landscape and Site Design Ordinance. This Office is informed that DCP will address the three additional requests for the report back listed in Amending Motion 11A, after the Draft Ordinance has been considered by Council.

#### Charter Findings Required

Charter Section 558(b)(3) requires the Council to make the findings required in Subsection (b)(2) of the same section, namely whether adoption of the Draft Ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice. Charter Section 558(b)(3)(A) allows Council to adopt an ordinance conforming to the CPC's recommendation of approval of the ordinance, if the CPC

recommends such approval. Similarly, Charter Section 556 requires Council to make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan.

On October 24, 2024, the CPC adopted DCP's staff report along with required findings in support of the Draft Ordinance, recommending that Council adopt the Draft Ordinance. The City Council can adopt either the CPC Findings, or make its own.

#### CEQA Determination

DCP also recommends that Council find that, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Initial Study/Negative Declaration for the Landscape and Site Design Ordinance (ENV-2022-4857-ND), dated October 2024, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment. If Council concurs, it must comply with CEQA by making this determination in its independent judgment prior to or concurrent with its action on the ordinance.

#### Council Rule 38 Referral

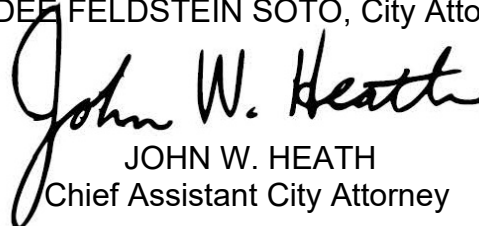
A copy of the Draft Ordinance has been sent pursuant to Council Rule 38 to LADBS, Bureau of Street Services, and DCP, with a request that all comments be presented directly to Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kimberly Huangfu at (213) 978-8257. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By

  
JOHN W. HEATH  
Chief Assistant City Attorney

JH:KAH:jr  
Transmittal