

**File Number**

05-1776

**Last Changed Date**

05/04/2007

**Title**

TRANSFER OF FLOOR AREA / CENTRAL BUSINESS DISTRICT

**Initiated by**

Los Angeles City Planning Commission

**Subject**

Communication from the Los Angeles City Planning Commission, dated August 17, 2005, relative to a proposed ordinance and proposed amendments to the City's Administrative Code, which simplify the procedure for the transfer of floor area (TFAR) for residential or residential portions of buildings located in the Central Business District and the City Center Redevelopment Project Areas - City Plan Case No. 2005-3861 CA.

**Council District**

9, 14

**Date Received**

08/18/2005

**File History**

- 8-18-05 - For ref
- 8-22-05 - Ref to Planning and Land Use Management Committee
- 8-22-05 - File to Planning and Land Use Management Committee Clerk
- 2-24-06 - Set for Planning and Land Use Management Committee on February 28, 2006
- 2-28-06 - Planning and Land Use Management Committee Disposition - Refer to Community Redevelopment Agency, Chief Legislative Analyst, City Attorney and Planning Department
- 3-2-06 - Letter to Community Redevelopment Agency, Chief Legislative Analyst, City Attorney and Planning Department per Planning and Land Use Management Committee Clerk
- 8-4-06 - Set for Planning and Land Use Management Committee on August 8, 2006
- 8-8-06 - Planning and Land Use Management Committee Disposition - Instruct City Attorney to prepare Ordinance with revisions
- 8-11-06 - Letter to City Attorney per Planning and Land Use Management Committee Clerk
- 3-1-07 - For ref - Communication from the City Attorney R07-0069, dated February 26, 2007, relative to a draft ordinance amending Article 4.5 of Chapter 1 of the Los Angeles Municipal Code relating to Transfer of Floor Area Rights in the Central Business District and City Center Redevelopment Project Areas and Section 5.416 of the Los Angeles Administrative Code relating to the Transfer of Floor Area Rights Public Benefit Payment Trust Fund.
- 3-2-07 - Ref to Planning and Land Use Management Committee - to Committee Clerk
- 3-7-07 - Council Action - Verbal Motion - Reyes Mover 2007 / Smith - ADOPTED - HEREBY MOVE that Council ADOPT the following recommendation of the City Attorney (Item No. 34, CF **05-1776**) relative to amending Article 4.5 of Chapter 1 of the Los Angeles Municipal Code (LAMC) relating to the transfer of floor area rights in the Central Business District and City Center Redevelopment Project Areas and Chapter 45 of Division 5 of the Los Angeles Administrative Code (LAAC) relating to the Transfer of Floor Area Rights Public Benefit Payment Trust Fund, SUBJECT TO THE APPROVAL OF THE MAYOR:
  - 1. FIND that this action is exempt from California Environmental Quality Act, pursuant to Article II, Section 2(m) of the City's Guidelines.
  - 2. ADOPT the February 15, 2007, FINDINGS of the Director of Planning as the Findings of the Council.
  - 3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, relative to amending Article 4.5 of Chapter 1 of the LAMC relating to the transfer of floor area rights in the Central Business District and City Center Redevelopment Project Areas and Chapter 45 of Division 5 of the LAAC relating to the Transfer of Floor Area Rights Public Benefit Payment Trust Fund - Findings ADOPTED - Ordinance ADOPTED - Exemption APPROVED.
- 3-9-07 - File to Mayor for signature FORTHWITH
- 3-19-07 - MAYOR'S VETO MESSAGE - vetoing the March 7, 2007, Council action amending Article 4.5 of Chapter 1 of the LAMC relating to the transfer of floor area rights in the Central Business District and City Center Redevelopment

Project Areas and Chapter 45 of Division 5 of the LAAC relating to the Transfer of Floor Area Rights Public Benefit Payment Trust Fund.

3-19-07 - File to Council and Legislative Processing Clerk

3-22-07 - For Council - Communication from the City Attorney R07-0097, dated March 22, 2007, relative to Mayor's veto of draft ordinance relating to Transfer of Floor Area Rights in the Central Business District and City Center Redevelopment Project Areas.

3-23-07 - File to Council Clerk - Attn: Maria K.

3-23-07 - Council Action - CONTINUED TO MARCH 30, 2007

3-30-07 - Council Action - CONTINUED TO APRIL 3, 2007

4-3-07 - Council Action - Recommendation #1 on Substitute Motion ADOPTED In Lieu of Recommendation #2 - Balance CONTINUED TO MAY 1, 2007.

4-3-07 - Council Action - Recommendation #1 on Substitute Motion - Perry Mover 2007 / Reyes - ADOPTED In Lieu of Recommendation #2 - THEREFORE MOVE that the City Council take the following action:

1. Continue Recommendations 43 A. and B. 1. to May 1, 2007.

Recommendation #2 and Ordinance to be Presented on April 4, 2007

4-3-07 - Council Action - Amending Motion - Huizar Mover 2007 / Reyes - ADOPTED - The ordinance allowing the transfer of air rights has been in place since the late 1980s. Since the initiation of the T-FAR ordinance, few projects took advantage of the opportunities allowed through T-FAR. With the call for greater density downtown, changes to the T-FAR regulations were proposed in order to streamline the existing ordinance, while at the same time offering more flexibility, greater ease of use, and increased public benefit for a broader area.

Under the proposed revised ordinance, T-FAR donor and T-FAR receiver sites must be located within the boundaries of the Central Business District and the City Center Redevelopment Project Areas. Funds generated from the use of the T-FAR ordinance are proposed to be able to be used anywhere within a 2-mile radius of the receiver site, including areas beyond the donor/receiver site boundaries. If expanded to 3-miles, the radius in which T-FAR funds could be spent would capture a greater geographic area, increasing the benefits of the T-FAR ordinance to a broader portion of our City.

The proposed revised ordinance includes a Public Benefits Committee which will make recommendations for the use of funds created through the use of the T-FAR ordinance. The council offices currently proposed to be included on the Public Benefits Committee include only the council office of the donor and the council office of the receiver site, if different. Council offices in the remaining portions of the radius for the expenditure of funds, while eligible for project funding, are currently excluded from the Public Benefits Committee.

The proposed ordinance defines the Public Purposes for which T-FAR funds can be used as: affordable housing, public open space, historic preservation, recreational, cultural, community and public facilities, job training and outreach programs, affordable child care, streetscape improvements, public arts programs, homeless services, or public transportation improvements. Infrastructure improvement, public works and public safety - items of critical importance to the people of the City of Los Angeles - are not currently included on the list of allowable Public Benefit project types.

THEREFORE, in order to increase flexibility and inclusivity of the proposed ordinance and offer broader representation to a greater number of council districts in the process. Move that the Planning department report back to the PLUM Committee in 30 days about the following proposed revisions to the proposed T-FAR ordinance:

(1) Expand the public benefits committee to include any council office within radius for expenditures, not just those of the donor/receiver sites.

(2) Expand the radius area for expenditure of funds from 2-miles to 3-miles.

(3) Expand the list of "public purposes" for, which funds can be used to include infrastructure, public works and public safety - Ordinance ADOPTED amending Article 4.5 of Chapter 1 of the LAMC relating to the transfer of floor area rights in the Central Business District and City Center Redevelopment Project Areas and Chapter 45 of Division 5 of the LAAC in connection with the Transfer of Floor Area Rights in the Central Business District and City Center Redevelopment Plan Areas and Transfer of Floor Area Rights Public Benefit Payment Trust Fund.

4-5-07 - File to Mayor for signature FORTHWITH

4-10-07 - File to Council and Legislative Processing Clerk

5-1-07 - Council Action - Verbal Motion - Perry Mover 2007 / Garcetti - ADOPTED - HEREBY MOVE that Council RECEIVE and FILE the Mayor's Veto message disapproving the Ordinance adopted by the Council on March 7, 2007, amending Article 4.5 of Chapter 1 of the Los Angeles Municipal Code relating to the transfer of floor area rights in the Central Business District and City Center Redevelopment Plan Areas and Chapter 45 of Division 5 of the Los Angeles Administrative Code relating to the Transfer of Floor Area Rights Public Benefit Payment Trust Fund.

5-4-07 - File to Planning and Land Use Management Committee Clerk OK

5-4-07 - File in files

## **Ordinance**

