



## DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



Los Angeles  
Department  
of City Planning

**CITY PLANNING COMMISSION**  
**DATE:** September 22, 2011  
**TIME:** after 8:30 a.m.\*  
**PLACE:** Los Angeles City Hall  
Room 350  
200 N. Spring Street  
Los Angeles, CA 90012

**CASE NO:** CPC-2011-1330-CA  
**CEQA:** ENV-2011-1331-ND  
**LOCATION:** Citywide  
**COUNCIL DISTRICT:** All  
**PLAN AREAS:** All


### PUBLIC HEARING REQUIRED

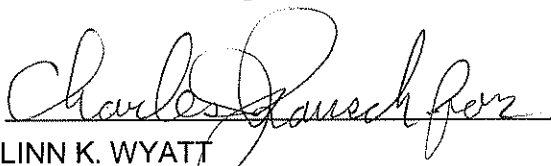
**SUMMARY:** A proposed ordinance amending Sections 12.24 and 14.00 of the Los Angeles Municipal Code (LAMC) to allow farmers' markets through the Further Authority of the Zoning Administrator in all residential zones and as a Public Benefit project in the agricultural, commercial, manufacturing, and parking zones, with performance standards to preserve neighborhood character.

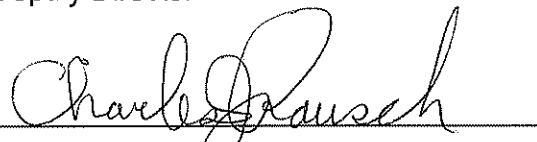
### RECOMMENDED ACTIONS:


1. **Adopt** the staff report as its report on the subject.
2. **Adopt** the findings in Attachment 1.
3. **Adopt** the Negative Declaration (Attachment 2) as the CEQA clearance on the subject.
4. **Adopt** the proposed ordinance (Appendix A) and recommend its adoption by the City Council.

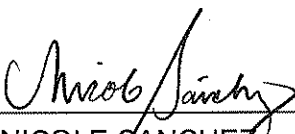
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Director of Planning

  
ALAN BELL, AICP  
Deputy Director

  
LINN K. WYATT  
Chief Zoning Administrator

  
CHARLES J. RAUSCH JR.  
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Telephone: (213) 978-1445

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the Commission Secretariat, 200 North Main Street, Room 272, Los Angeles, CA 90012 (Phone No. 213/978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at 213/978-1300.

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## SUMMARY

In an effort to increase access to healthy food to Los Angeles citizens, the Department of City Planning is proposing several changes to the Los Angeles Municipal Code (LAMC). The proposed ordinance (Appendix A) will: (1) allow farmers' markets by-right with performance standards in the agricultural, commercial, manufacturing, and parking zones, and (2) allow them to be permitted anywhere in a residential zone with a public hearing and performance standards.

Allowing farmers' markets by-right in the aforementioned zones will streamline the permitting process for areas in which this use is most suitable. At the same time, the allowable locations of farmers' markets within the residential zones will increase, but so too will the level review so that appropriate protections are ensured to protect the neighborhood character.

## STAFF REPORT

### Initiation

On November 19, 2010, the City Council adopted Motion 10-1832 (Wesson, Koretz) directing the Department of City Planning, in conjunction with the City Attorney, to report back with recommendations on the feasibility of allowing farmers' markets by-right in the residential zones. On April 26, 2011, the Department of City Planning presented a report to the Planning Land Use and Management Committee stating that staff recommends expanding current permitting of limited residential zoned farmers' markets to all areas of residential zones, and to modify the permitting process of farmers' markets in the agricultural, commercial, manufacturing and parking zones to a by-right process with required performance standards.

### Current LAMC Provisions

Currently, farmers' markets are not allowed by-right in any zone. In the following zones, farmers' markets are approved through the Further Authority of the Zoning Administrator process: the agricultural, commercial, manufacturing, and parking zones; church, school, philanthropic institution parking lots in residential zones; and public parks. The Further Authority of the Zoning Administrator process requires adjacent property owners to be notified and a public hearing to be held, although this hearing may be waived. It also requires the six operational standards related to the following to be met:

1. Hours of operations
2. Sanitation
3. Signage

4. Noise
5. Trash
6. Clean-up deposit

Any request to establish a farmers' market outside of these specified zones requires a variance.

### **Proposed LAMC Revisions**

1. Allow farmers' markets by-right with performance standards in the agricultural, commercial, manufacturing, and parking zones as Public Benefit Projects.

The proposed ordinance will change the permitting process for farmers' markets in the agricultural, commercial, manufacturing and parking zones from the Further Authority of the Zoning Administrator process to the Public Benefit process. Public Benefit Projects are uses that the City recognizes as beneficial but are only permitted by-right when conditions tailored to the specific nature of the use are met. These standards will ensure neighborhood stability considering the convivial nature of farmers' markets. This change in permit review will allow farmers' markets by-right in suitable zones and save staff and applicant time.

2. Allow farmers' markets to be permitted anywhere in a residential zone through the Further Authority of the Zoning Administrator.

The proposed ordinance expands allowable farmers' markets from just church, school, philanthropic institution parking lots in residential zones under the Further Authority of the Zoning Administrator process to all areas in residential zones under the Further Authority of the Zoning Administrator process. This process will require that farmers' markets meet the notification, hearing, and operational standards required by the Further Authority of the Zoning Administrator. The standards will be the same as those proposed for the agricultural, commercial, manufacturing, and parking zones as Public Benefit Projects. This discretionary process will continue to involve community input.

### **Public Outreach**

The Department of City Planning held a staff hearing on July 20, 2011. During this hearing, attendees expressed support for allowing farmers' markets throughout the residential zones and for establishing a by-right procedure for farmers' markets in the agricultural, commercial, manufacturing, and parking zones.

There was concern that this proposed ordinance may commercialize residential zones. Ultimately, the benefits that farmers' markets provide, including providing healthy food

to residents of Los Angeles, outweighs their occasional daytime use in residential zones. Furthermore, this use will not be by-right in residential zones; they will be subject to a review process that includes a public hearing and notification to all abutting properties, in addition to meeting operational requirements.

Additional concerns were expressed regarding the feasibility of parking for farmers' markets when they are located on parking lots. The proposed ordinance limits the amount of a parking lot area to be used by a farmers' market to no more than 20% so as to not create parking spillover.

## **CONCLUSION**

The proposed ordinance supports farmers' markets by expanding where they are permitted and providing a by-right process in areas that are most fitting. The proposed ordinance will provide a simpler and more cost efficient way of permitting farmers' markets in areas where they are appropriate, as well as require additional review in more sensitive areas such as in the residential zones. The proposed ordinance will advance the City's goal of increasing citizen access to healthy food, reducing reliance upon vehicles, enhancing social capital through increased social interaction, and becoming a more sustainable city.

## ATTACHMENT 1

### LAND USE FINDINGS

The Department of City Planning recommends that the City Planning Commission find:

1. In accordance with Charter Section 556, that the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent, and provisions of the General Plan. Specifically, the proposed ordinance implements Economic Development Policy 7.2.4, "Ensure that the City has enough capacity to accommodate the development of general commercial uses which support community needs in all parts of Los Angeles.", and Policy 7.3.2, "Retain existing neighborhood commercial activities within walking distance of residential areas." It also helps implement Goal 2 of the Air Quality Element, "Less reliance on single-occupant vehicles with fewer commute and non-work trips.", and Objective 3.2 of the Air Quality Element, "It is the objective of the City of Los Angeles to reduce vehicular traffic during peak periods."

The proposed ordinance increases the capacity for the citywide community need for fresh produce at farmers' markets and local restaurants, which are often within walking distance of residential areas, and

2. In accordance with Charter Section 558 (b) (2), the proposed ordinance (Appendix A) is in substantial conformance with public necessity, convenience, general welfare and good zoning practice. Consistent with City policy that farmers' markets are an allowable use in many zones, the ordinance reorganizes the processes by which they are permitted, therefore allowing that they be located in more areas throughout the city. The proposed ordinance does not change what is allowed to be sold at farmers' markets. It merely reorganizes the process by which they are permitted.

### ENVIRONMENTAL FINDING

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration (ENV-2011-1331-ND) was published on June 16, 2011. On all measures the proposed ordinance (Appendix A) will have either no or a less than significant effect on the environment. The proposed ordinance makes no changes to existing zoning, any specific plans, or other land use regulations that affect the physical environment.

**CITY OF LOS ANGELES**  
OFFICE OF THE CITY CLERK  
ROOM 395, CITY HALL  
LOS ANGELES, CALIFORNIA 90012  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**INITIAL STUDY**  
**and CHECKLIST**  
(CEQA Guidelines Section 15063)

<b>LEAD CITY AGENCY:</b> City of Los Angeles		<b>COUNCIL DISTRICT:</b> CITYW	<b>DATE:</b> 06/07/2011
<b>RESPONSIBLE AGENCIES:</b> Department of City Planning			
<b>ENVIRONMENTAL CASE:</b> ENV-2011-1331-ND		<b>RELATED CASES:</b> CPC-2011-1330-CA	
<b>PREVIOUS ACTIONS CASE NO.:</b>		<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
<b>PROJECT DESCRIPTION:</b> FARMERS' MARKETS CODE AMENDMENT			
<b>ENV PROJECT DESCRIPTION:</b> A proposed ordinance amending Sections 12.24 and 14.00 of the Los Angeles Municipal Code (LAMC) to allow farmers' markets by Conditional Use Permit in all R Zones and as a Public Benefit in the A, C, M, and P Zones, with performance standards, as well removing farmers' markets from being permitted in most zones under the Further Authority of the Zoning Administrator.			
<b>ENVIRONMENTAL SETTINGS:</b> The City of Los Angeles is the second largest city in the United States by population with an estimated 4 million residents. The city's boundaries cover a total area of 498.3 square miles (1,291 km <sup>2</sup> ), comprising 469.1 square miles (1,214.9 km <sup>2</sup> ) of land and 29.2 square miles (75.7 km <sup>2</sup> ) of water, reflecting a diverse terrain of urbanized areas, beaches, mountains, and valleys. The City of Los Angeles is divided into 15 City Council districts and 35 Community Plan Areas.			
<b>PROJECT LOCATION:</b> N/A			
<b>COMMUNITY PLAN AREA:</b> CITYWIDE <b>STATUS:</b>  <input type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan		<b>AREA PLANNING COMMISSION:</b> CITYWIDE	<b>CERTIFIED NEIGHBORHOOD COUNCIL:</b> CITYWIDE
<b>EXISTING ZONING:</b> N/A		<b>MAX. DENSITY/INTENSITY ALLOWED BY ZONING:</b> N/A	<b>LA River Adjacent:</b> NO
<b>GENERAL PLAN LAND USE:</b> N/A		<b>MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:</b> N/A	
		<b>PROPOSED PROJECT DENSITY:</b> N/A	

## Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Planning Assistant

(213) 978-1195

Signature

Title

Phone

### Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.



6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

## Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> AESTHETICS	<input type="checkbox"/> GREEN HOUSE GAS EMISSIONS	<input type="checkbox"/> POPULATION AND HOUSING
<input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES	<input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS	<input type="checkbox"/> PUBLIC SERVICES
<input type="checkbox"/> AIR QUALITY	<input type="checkbox"/> HYDROLOGY AND WATER QUALITY	<input type="checkbox"/> RECREATION
<input type="checkbox"/> BIOLOGICAL RESOURCES	<input type="checkbox"/> LAND USE AND PLANNING	<input type="checkbox"/> TRANSPORTATION/TRAFFIC
<input type="checkbox"/> CULTURAL RESOURCES	<input type="checkbox"/> MINERAL RESOURCES	<input type="checkbox"/> UTILITIES AND SERVICE SYSTEMS
<input type="checkbox"/> GEOLOGY AND SOILS	<input type="checkbox"/> NOISE	<input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE

### INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

*Background*

**PROPONENT NAME:**

City of Los Angeles, Department of City Planning

**PHONE NUMBER:**

(213) 978-1195

**APPLICANT ADDRESS:**

200 N. Spring St, Room 763  
Los Angeles, CA 90012

**AGENCY REQUIRING CHECKLIST:**

Department of City Planning

**DATE SUBMITTED:**

05/26/2011

**PROPOSAL NAME (if Applicable):**

Farmers' Markets Code Amendment

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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<b>I. AESTHETICS</b>				
a.	Have a substantial adverse effect on a scenic vista?			✓
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?			✓
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓
<b>II. AGRICULTURE AND FOREST RESOURCES</b>				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓
<b>III. AIR QUALITY</b>				
a.	Conflict with or obstruct implementation of the applicable air quality plan?			✓
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓
d.	Expose sensitive receptors to substantial pollutant concentrations?			✓
e.	Create objectionable odors affecting a substantial number of people?			✓
<b>IV. BIOLOGICAL RESOURCES</b>				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓
<b>V. CULTURAL RESOURCES</b>				

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				✓
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				✓
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d.	Disturb any human remains, including those interred outside of formal cemeteries?				✓
<b>VI. GEOLOGY AND SOILS</b>					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?				✓
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?				✓
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				✓
e.	Result in substantial soil erosion or the loss of topsoil?				✓
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
<b>VII. GREEN HOUSE GAS EMISSIONS</b>					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				✓
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b>					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
<b>IX. HYDROLOGY AND WATER QUALITY</b>					
a.	Violate any water quality standards or waste discharge requirements?				✓
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f.	Otherwise substantially degrade water quality?				✓
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j.	Inundation by seiche, tsunami, or mudflow?				✓
<b>X. LAND USE AND PLANNING</b>					
a.	Physically divide an established community?				✓
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
<b>XI. MINERAL RESOURCES</b>					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓
<b>XII. NOISE</b>					
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				✓
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				✓
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				✓
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
<b>XIII. POPULATION AND HOUSING</b>					
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
<b>XIV. PUBLIC SERVICES</b>					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?				✓
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?				✓
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?				✓
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?				✓
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?				✓
<b>XV. RECREATION</b>					
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
<b>XVI. TRANSPORTATION/TRAFFIC</b>					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e.	Result in inadequate emergency access?				✓
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓
<b>XVII. UTILITIES AND SERVICE SYSTEMS</b>					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				✓
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>					
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				✓
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

**DISCUSSION OF THE ENVIRONMENTAL EVALUATION** (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description will not cause potentially significant impacts on the environment. Therefore, this environmental analysis concludes that a Negative Declaration shall be issued for the environmental case file known as **ENV-2011-1331-N** and the associated case(s), **CPC-2011-1330-CA**.

**ADDITIONAL INFORMATION:**

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) [cityplanning.lacity.org/](http://cityplanning.lacity.org/) or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or

City's main website under the heading "Navigate LA".

<b>PREPARED BY:</b>	<b>TITLE:</b> Planning Assistant	<b>TELEPHONE NO.:</b> (213) 978-1195	<b>DATE:</b> 06/10/2011
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Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

<b>I. AESTHETICS</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
<b>II. AGRICULTURE AND FOREST RESOURCES</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
<b>III. AIR QUALITY</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
<b>IV. BIOLOGICAL RESOURCES</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
<b>V. CULTURAL RESOURCES</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
<b>VI. GEOLOGY AND SOILS</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
g.	NO IMPACT	
h.	NO IMPACT	
<b>VII. GREEN HOUSE GAS EMISSIONS</b>		

Impact?	Explanation	Mitigation Measures
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a.	NO IMPACT		
b.	NO IMPACT		

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		
g.	NO IMPACT		
h.	NO IMPACT		

**IX. HYDROLOGY AND WATER QUALITY**

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		
g.	NO IMPACT		
h.	NO IMPACT		
i.	NO IMPACT		
j.	NO IMPACT		

**X. LAND USE AND PLANNING**

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		

**XI. MINERAL RESOURCES**

a.	NO IMPACT		
b.	NO IMPACT		

**XII. NOISE**

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		
d.	NO IMPACT		
e.	NO IMPACT		
f.	NO IMPACT		

**XIII. POPULATION AND HOUSING**

a.	NO IMPACT		
b.	NO IMPACT		
c.	NO IMPACT		

**XIV. PUBLIC SERVICES**

a.	NO IMPACT		
b.	NO IMPACT		

Impact?	Explanation	Mitigation Measures
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
<b>XV. RECREATION</b>		
a.	NO IMPACT	
b.	NO IMPACT	
<b>XVI. TRANSPORTATION/TRAFFIC</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
<b>XVII. UTILITIES AND SERVICE SYSTEMS</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	
d.	NO IMPACT	
e.	NO IMPACT	
f.	NO IMPACT	
g.	NO IMPACT	
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>		
a.	NO IMPACT	
b.	NO IMPACT	
c.	NO IMPACT	

## APPENDIX A

### ORDINANCE NO. \_\_\_\_\_

A proposed ordinance amending Section 12.24 and adding Section 14.00 of the Los Angeles Municipal Code (LAMC) to allow farmers' markets through the Further Authority of the Zoning Administrator in all residential zones and as a Public Benefit project in the agricultural, commercial, manufacturing, and parking zones, with performance standards to preserve neighborhood character.

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

**Sec. 1.** Paragraph 6 of Subsection X of Section 12.24 is amended to read:

6. **Certified Farmers' Markets.** A Zoning Administrator may, upon application, permit the operation of certified farmers' markets, as defined in Section 1392.2, Title 3, of the California Administrative Code, subject to these limitations in any R Zone.

~~(a) Certified farmers markets are allowed in the following zones:~~

~~(1) An A Zone, including the RA Zone;~~

~~(2) The C Zones, excluding the CM Zone;~~

~~(3) The P Zone;~~

~~(4) The M Zones, excluding the MR1 and MR2 zones;~~

~~(5) Any R Zone, provided the property is paved and fully improved and used as a main parking lot incidental to, and serving a church, school or philanthropic institution as defined in Section 12.03; and~~

~~(6) A public park provided its use as a certified farmer's market has first been approved by the Board of Recreation and Park Commissioners of the City of Los Angeles.~~

~~(b) (a) **Application.** Each application shall be referred for review to the Councilperson Councilmember of the district in which the property is located. A Zoning Administrator shall approve an application only if the following requirements are met:~~

~~(1) The operation is conducted by one or more certified producers, by a nonprofit organization or by a local government agency; and~~

(2) If selling these products, the producer is authorized by the County Agricultural Commissioner to sell directly to consumers the products as fruits, nuts, or vegetables that are produced upon the land which the certified producer farms and owns, rents, leases or sharecrops; and

(3) If selling these products, the market operator and producer secure all necessary licenses, certificates and health permits which are required to sell directly to consumer's eggs, honey, fish, and other seafood and freshwater products, live plants and other agricultural products, provided they are raised, grown or caught and processed, if necessary, in California.

(e) **(b) Procedures.** An application for permission pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28C1, 2 and 3. A hearing is not required if the applicant submits with its application the written approval of the owners of all properties abutting, across the street or alley from or having a common corner with the subject property, and, in addition, the written approval of 60 percent of the owners of properties within a radius of 300 feet of the subject property.

**(d) (c) Requirements.**

(1) All market activities shall be conducted only between the hours of 7:00 a.m. and 7:00 p.m., except that necessary preparation of the site for sales activities and cleanup may be conducted for not more than one hour before and one hour after this period. ~~Any light used at any time during market activities shall be adequately shielded so as not to shine directly or indirectly on adjacent property or streets.~~

(2) any light used at any time during market activities shall be adequately shielded so as to not shine directly or indirectly on adjacent property or streets; ~~Adequate trash containers shall be provided during the hours of operation and adequate toilet facilities shall be provided.~~

(3) adequate trash containers shall be provided during the hours of operation and adequate toilet facilities shall be provided; ~~Signs advertising the market shall be permitted only if they conform with the regulations governing signs applicable to the zone in which the market is located, and these signs shall be compatible with the development in the immediate neighborhood.~~

(4) signs advertising the market shall be permitted only if they conform to Article 4.4 of the Los Angeles Municipal Code (LAMC);

~~The level of noise resulting from any certified farmer's market, including noise resulting from the use of amplified sound equipment, shall not exceed the ambient noise levels applicable to an A or R Zone as set forth in~~

~~Section 111.03 of the Municipal Code, at the property line of any adjacent A or R Zone.~~

(5) the level of noise, including noise resulting from the use of amplified sound equipment, shall not exceed the ambient noise levels applicable to an A or R Zone as set forth in Section 111.03 of the LAMC, at the property line of any adjacent A or R Zone;

~~The lot or portion of the lot actually used for market activities shall be cleaned at the close of the day. For the purpose of this section only, "cleaned" shall include, but not be limited to, the removal of stalls, debris, trash, etc., used in conjunction with market activities.~~

(6) the lot or portion of the lot actually used for market activities shall be cleaned at the close of the day. For the purpose of this section only, "cleaned" shall include, but not be limited to, the removal of stalls, debris, trash, etc., used in conjunction with market activities; and

~~The operator of the market shall post a two hundred-dollar refundable, cleanup deposit with the Office of the City Clerk prior to the opening of business.~~

(7) the operator of the market shall post a \$250 refundable, cleanup deposit with the City Clerk prior to the opening of business.

~~(e) **Findings.** In addition to the findings otherwise required by this section, a Zoning Administrator shall find that the proposed location of a certified farmer's market will not have a significant adverse effect on adjoining properties or on the immediate neighborhood by reason of noise and traffic congestion.~~

(f) ~~(d)~~ **Violations.** The Zoning Administrator may consider revoking the grant for failure to maintain the site in a satisfactory manner.

(g) ~~(e)~~ **Annual Review.** Each year, at least 30 days prior to the effective anniversary date of any grant made pursuant to this subdivision, the operator of a certified farmer's market shall submit to the Office of Zoning Administration a request for continued operation on a form prescribed for that purpose. The form shall contain all pertinent information which a Zoning Administrator may specify. Failure to submit this request shall automatically revoke this grant.

**Sec. 2.** Paragraph 10 of Subsection A of Section 14.00 is added to read:

10. **Certified Farmers' Markets**, as defined in Section 1392.2, Title 3, of the California Administrative Code, in the A, C, M, and P zones.

(a) **Performance Standards:**

(1) **Hours:** All market activities shall be conducted only between the hours of 7:00 a.m. and 7:00 p.m., except that necessary preparation of the site for sales activities and cleanup may be conducted for not more than one hour before and one hour after this period.

(2) **Light:** Any light used at any time during market activities shall be adequately shielded so as not to shine directly or indirectly on adjacent property or streets.

(3) **Trash:** Adequate trash containers shall be provided during the hours of operation and adequate toilet facilities shall be provided.

(4) **Signage:** Signs advertising the market shall conform to Article 4.4 of the Los Angeles Municipal Code (LAMC).

(5) **Noise:** The level of noise, including noise resulting from the use of amplified sound equipment, shall not exceed the ambient noise levels applicable to the designated zones as set forth in Section 111.03 of the LAMC.

(6) **Maintenance:** The lot or portion of the lot actually used for market activities shall be cleaned at the close of the day. For the purpose of this section only, "cleaned" shall include, but not be limited to, the removal of stalls, debris, and trash, etc., used in conjunction with market activities.

(7) **Deposit:** The operator of the market shall post a \$250 refundable, cleanup deposit with the City Clerk prior to the opening of business.

(8) **Parking:** The temporary use of a farmers' market located on a parking lot shall not use more than 20 percent of the required spaces for the main use of that parking lot.

**Sec. 3.** The City Clerk shall certify ...