

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2016-3182-CA	ENV-2016-3183-CE	All
PROJECT ADDRESS:		
Citywide		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
City of Los Angeles <input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Bonnie Kim Erick Lopez Tom Rothmann	(213) 978-1330 (213) 978-1323 (213) 978-1891	Bonnie.Kim@lacity.org Erick.Lopez@lacity.org Tom.Rothmann@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Adoption of the proposed ordinance		

FINAL ENTITLEMENTS NOT ADVANCING:

None.

ITEMS APPEALED:

None.

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):**FISCAL IMPACT STATEMENT:** Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission
- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
October 11, 2018	7 – 0
LAST DAY TO APPEAL:	APPEALED:
N/A	N/A
TRANSMITTED BY:	TRANSMITTAL DATE:
James K. Williams Commission Executive Assistant II	October 26, 2018



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: OCT 26 2018

Case No. **CPC-2016-3182-CA**
CEQA: ENV-2016-3183-CE
Plan Areas: All

Council Districts: All

Project Site: Citywide

Applicant: City of Los Angeles

At its meeting of **October 11, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the following:

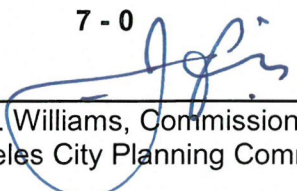
A proposed ordinance amending the Los Angeles Municipal Code to comprehensively reorganize the administrative provisions of the Zoning Code and establish a new Article and Chapter to the Los Angeles Municipal Code.

1. **Recommended** that the City Council **determine**, based on the whole of the administrative record, that the proposed ordinance is not a Project under CEQA pursuant to Section 15378(b)(5) of the California Public Resources Code and is exempt from CEQA pursuant to Section 15061(b)(3) of the California Public Resources Code and CEQA Guidelines, Section 15308 (Class 8), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Recommended** that the City Council **adopt** the proposed ordinance which includes Chapter 1A, provided that the Office of the City Attorney reviews the Ordinance as to form and legality;
3. **Recommended** that the City Council **adopt** the staff report as the Council's report on the subject; and
4. **Recommended** that the City Council **adopt** the attached Findings.

The vote proceeded as follows:

Moved: Millman
Second: Choe
Ayes: Ambroz, Khorsand, Mitchell, Padilla-Campos, Dake Wilson
Absent: Mack, Perlman

Vote: 7 - 0


James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: *The decision of the Los Angeles City Planning Commission is final and not appealable.*

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you would like to review the proposed ordinance, please visit:

https://planning.lacity.org/ordinances/docs/Processes_and_Procedures_Ordinance/Ordinance.pdf

Attachment: Findings

c: Thomas Rothmann, Principal City Planner
Phyllis Nathanson, Senior City Planner
Erick Lopez, City Planner
Bonnie Kim, City Planning Associate

Findings

GENERAL PLAN/CHARTER FINDINGS

The proposed Code amendment is consistent and not in conflict with the General Plan or City Charter. The proposed Code amendment focuses solely on the reorganization of processes and procedures, and does not affect land use or development. As such, the proposed Code amendment is a neutral, administratively focused action that is consistent and not in conflict with the General Plan and City Charter.

Therefore, Charter Section 558 does not apply to the Code amendment because the proposed ordinance does not concern:

- 1) the creation or change of any zones or districts for the purpose of regulating the use of land;
- 2) zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances;
- 3) private street regulations;
- 4) public projects; and
- 5) the acquisition of, change of area or alignment to, abandonment of, or vacation of any public right of way, park, playground, airport, public building site or other public way, ground or open space, but not including easements for sewers, storm drains or slopes, nor the temporary transfer of jurisdiction over any portion of a street to another local agency.

Charter Section 556 also does not apply because it only pertains to items listed in Charter Section 558, which, in this instance, does not include the proposed Code amendment.

CEQA FINDINGS

Pursuant to Section 15061(b)(3) and/or Section 15378(b)(5) of the California Public Resource Code, the Department of City Planning has determined that the proposed Code amendment is not a Project for purposes of the California Environmental Quality Act (CEQA). The proposed Code amendment modifies administrative procedures for the processing of entitlement requests and appeals and has no effect on the land use regulation of the physical environment.

Pursuant to Section 15061(b)(3), the proposed Code amendment is not a project under CEQA, because “the activity is covered by the general rule that CEQA applies only to

projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

The proposed Code amendment is also not a project under CEQA pursuant to Section 15378(b)(5), because “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” are not considered a Project. The proposed Code amendment does not change any discretionary actions into non-discretionary actions. Therefore, the proposed Code amendment will continue to ensure that projects meet all procedural requirements of CEQA, and that impacts are analyzed and environmental mitigations are imposed where necessary and appropriate. Furthermore, the proposed Code amendment does not change the zoning of any properties. The proposed changes are limited to administrative procedures and will not have an effect on the physical environment. Therefore, the proposed Code amendment does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The Code amendment also meets the requirements of the Class 8 Categorical Exemption pursuant to CEQA Guidelines, Section 15308. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to ensure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

Therefore, the Code amendment is not considered a “Project” under CEQA. However, if it were a project, it would be exempt from CEQA under the Class 8 Categorical Exemption and none of the exceptions to exemption under CEQA Guidelines Section 15300.2 apply.