

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY : **City of Los Angeles Department of City Planning** COUNCIL DISTRICT: **1,2,4,8,9,10,13,14,15**

PROJECT TITLE: Resolution to Transfer the Land Use Authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority to the City of Los Angeles and Associated Code Amendment LOG REFERENCE **CPC-2018-6005-CA; ENV-2018-6006-CE**

PROJECT LOCATION: The Project Location consists of the 20 unexpired Redevelopment Project Areas located throughout the City. The 20 unexpired Redevelopment Project Areas are: East Hollywood/Beverly-Normandie, North Hollywood, Chinatown, Broadway/Manchester, Wilshire/Koreatown, Crenshaw, Crenshaw/Slauson, Watts Corridor, Council District 9, Hollywood, Mid-City, Western Slauson, Vermont/Manchester, Laurel Canyon, Westlake, Exposition/University Park, Adelante Eastside, Pacific Corridor, City Center, and Central Industrial.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The proposed Project is a resolution transferring land use authority and an ordinance amending the Los Angeles Municipal Code to facilitate the transfer of land use authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA) to the City of Los Angeles ("Project"). The Project includes a code amendment to establish procedures similar to specific plan procedures for the implementation of unexpired Redevelopment Plans and to update other relevant code provisions, including references to the former Community Redevelopment Agency in the Los Angeles Municipal Code (Chapter 1). The proposed Project, by itself, does not propose or authorize new development or construction activity.

The land use transfer will authorize the Department of City Planning to administer the remaining 20 unexpired Redevelopment Plans and will consolidate project review in redevelopment project areas within a single entity in the City. The intent is to ensure continuity of land use controls that exist within unexpired Redevelopment Plans.

Consolidation of the land use authorities and amendments to the Los Angeles Municipal Code (LAMC) will facilitate the wind down of the CRA/LA-DLA pursuant to Assembly Bill (AB)X1 26 (which dissolved redevelopment agencies) and streamline development review processes within the Redevelopment Project Areas.

This action does not change or amend any land use provisions of any of the existing unexpired Redevelopment Plans or adopted Designs for Developments or Design Guidelines (DFDs).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON Giselle Corella AREA CODE 213 TELEPHONE NUMBER 978-1357 EXT.

EXEMPT STATUS: (Check One) STATE CEQA GUIDELINES CITY CEQA GUIDELINES
[] MINISTERIAL [] Sec. 15268 [] Art. II, Sec. 2b
[] DECLARED EMERGENCY [] Sec. 15269 [] Art. II, Sec. 2a (1)
[] EMERGENCY PROJECT [] Sec. 15269 (b) & (c) [] Art. II, Sec. 2a (2) & (3)
[X] CATEGORICAL EXEMPTION [] Sec. 15308 et seq. [] Art. II, Sec. 2
Section 15378(b)(5): Organizational or administrative activities that will not result in direct or indirect physical changes in the environment.
Class 8 Category: Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment, Sec.15308
Class 20 Category: Local government reorganizations requiring no changes in the areas where previous powers were exercised, such as the establishment of subsidiary districts, consolidations, and mergers, Sec. 15320
[] OTHER: (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION: After a review of the whole of the administrative record, we find none of the exceptions in CEQA Guidelines Sec. 15300.2 apply. See attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE: [Signature] TITLE: City Planning Associate DATE: 12/10/2018

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

NARRATIVE, ENV-2018-6006-CE

Project Description

The proposed Project is a resolution transferring land use authority and an ordinance amending the Los Angeles Municipal Code to facilitate the transfer of land use authority from the Community Redevelopment Agency of the City of Los Angeles, Designated Local Authority (CRA/LA-DLA) to the City of Los Angeles ("Project"). The Project includes a code amendment to establish procedures similar to specific plan procedures for the implementation of unexpired Redevelopment Plans and to update other relevant code provisions, including references to the former Community Redevelopment Agency in the Los Angeles Municipal Code (Chapter 1). The proposed Project, by itself, does not propose or authorize new development or construction activity.

The land use transfer will authorize the Department of City Planning to administer the remaining 20 unexpired Redevelopment Plans and will consolidate project review in redevelopment project areas within a single entity in the City. The intent is to ensure continuity of land use controls that exist within unexpired Redevelopment Plans.

Consolidation of the land use authorities and amendments to the Los Angeles Municipal Code (LAMC) will facilitate the wind down of the CRA/LA-DLA pursuant to Assembly Bill (AB)X1 26 (which dissolved redevelopment agencies) and streamline development review processes within the Redevelopment Project Areas.

This action does not change or amend any land use provisions of any of the existing unexpired Redevelopment Plans or adopted Designs for Developments or Design Guidelines (DFDs).

State CEQA Guidelines Section 15378

CEQA Guidelines Section 15378, explicitly defines what is considered a "Project" under CEQA. Pursuant to Section 15378(b)(5) of the California Public Resources Code, the proposed actions are not considered a Project under CEQA. The proposed actions related to the transfer of land use authority and the proposed ordinance, by themselves, only involve the organizational and administrative activities of governments and will not result in direct or indirect physical changes in the environment.

The dissolution of the former Community Redevelopment Agency of the City of Los Angeles (CRA/LA) under ABX1 26 took effect on February 1, 2012, immediately following the California Supreme Court decision regarding the dissolution of redevelopment agencies in California. The City did not elect to become the successor agency for the former CRA/LA, as a result, the Governor appointed a three-member governing board as the Designated Local Authority (CRA/LA-DLA) to wind down the operations of the former CRA/LA. Although ABX1 26 dissolved redevelopment agencies, it did not abolish the existing Redevelopment Project Areas or eliminate the Redevelopment Plans, which contain land use related plans and functions.

Follow up legislation to dissolution law, AB1484 further allows cities to assume the redevelopment plans and land use functions. The CRA/LA-DLA currently administers the implementation of the

Redevelopment Plans for the various Redevelopment Project Areas throughout the City. However, the primary role of the CRA/LA-DLA pursuant to ABX1 26, is to wind down its operations by making payments on enforceable obligations and disposing of redevelopment agency assets, among other financial responsibilities. The proposed actions transfer the CRA/LA-DLA's role of administering the Redevelopment Plans to the City and the amendments to the LAMC identify procedurally and organizationally how the Redevelopment Plans are to be implemented once transferred. Currently, development projects located within Redevelopment Project Areas are reviewed by both the City and CRA/LA-DLA, with the City providing the final approval for any planning entitlement or building permit. As the CRA/LA-DLA has continued to implement the Redevelopment Plans as the former CRA/LA did, transfer of the land use authority to the City will not affect existing practice of implementing the existing Redevelopment Plans pursuant to State Law, and therefore, it is not reasonably foreseeable that a direct or indirect physical change in the environment will occur.

Although the proposed actions primarily involve an organizational and administrative activity, which is not considered a Project under CEQA, the proposed actions also meet the requirements of the Class 8 and Class 20 Categorical Exemptions pursuant to CEQA Guidelines Sections 15308 and 15320, respectively. Described in the following sections are justifications for the use of the Class 8 and Class 20 Categorical Exemptions should the proposed ordinance be considered a Project under CEQA.

State CEQA Guidelines Section 15308, Class 8

CEQA Guidelines section 15308 establishes a categorical exemption for "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment whether regulatory process involves procedures for protection of the environment (CEQA Guidelines, section 15308)."

As stated above, the transfer of land use authority and adoption of the proposed ordinance is exempt per CEQA Guidelines Section 15308, as the proposed resolution is limited to transferring the land use authority of CRA/LA-DLA to the City and the proposed ordinance is limited to establishing procedures and revising certain LAMC sections to facilitate the administration and implementation of the land use related plans and functions of the CRA/LA-DLA by the City. Upon adoption of the proposed ordinance and transfer of land use authority by resolution, projects will require review by the City rather than the CRA/LA-DLA for conformity with the Redevelopment Plans. The Redevelopment Plans contain provisions that generally require an additional level of review for conformance with the Redevelopment Plan and actions would ensure continued implementation of unexpired Redevelopment Plans, thus, would continue to provide additional protection to the environment of the Project Areas. Some development regulations requiring an additional level of review and conformance findings include: floor area ratios (FAR), building height, and prohibition of certain land uses, which would continue to further protect the environment. The transfer of these land use related plans and functions does not authorize development or construction activities, but creates a mechanism to continue to implement additional development restrictions on future development and construction in the Redevelopment Project Areas. Additionally, existing regulations that are protective of the environment would continue to be implemented by the City in a manner that is similar to the process used by the CRA/LA-DLA.

State CEQA Guidelines Section 15320, Class 20

CEQA Guidelines Section 15320 establishes a categorical exemption for “changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to: (a) establishment of a subsidiary district; (b) consolidation of two or more districts having identical powers; (c) merger with a city of a district lying entirely within the boundaries of the city (CEQA Guidelines, section 15320).”

As stated above, the adoption of the proposed resolution transferring the land use authority of the CRA/LA-DLA to the City and proposed ordinance establishing procedures for the implementation of the land use related plans and functions and associated code amendments to the LAMC to facilitate the transfer, is exempt per CEQA Guidelines Section 15320. The proposed resolution and ordinance does not authorize or expand any new development or construction activities, but primarily consolidates the local control over land use policy to a single government agency, the City of Los Angeles. Upon adoption of the proposed ordinance and transfer of land use authority by resolution, development projects will be reviewed by the City rather than the CRA/LA-DLA for conformity with the Redevelopment Plans.

CEQA Section 15300.2 Exceptions to Categorical Exemptions

As explained below, the Project does not satisfy the criteria for exceptions to Categorical Exemptions in the application of Section 15308, Class 8 and Section 15320, Class 20 of the State CEQA Guidelines:

Exceptions to Exemptions

The State California Environmental Quality Act (CEQA) Guidelines section 15300.2 outlines five exceptions to the use of a Categorical Exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Classes 3, 4, 5, 6 and 11 are not being considered. The Project does not propose or authorize any development/construction activities, or expand any new or existing land uses. The proposed ordinance is limited to establishing procedures for the implementation of the Redevelopment Plans within the LAMC and updating relevant LAMC sections referencing the CRA/LA. The 20 unexpired Redevelopment Project Areas (“Project Area”) consists of various neighborhoods throughout the City typically located in an urbanized area and is not proposing or authorizing development to be located in a sensitive environmental resource of hazardous or critical concern where it has been designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Pursuant to State Redevelopment law, Redevelopment Project Areas were created specifically for the purpose of protecting and revitalizing blighted communities. Future development projects would be evaluated case by case should they be located in a Redevelopment Project Area with a sensitive environmental resource of hazardous or critical concern, therefore, this exception does not apply.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The Project, which transfers the land use authority of the CRA/LA-DLA to the City, establishes procedures for the implementation of the Redevelopment Plans within the LAMC and updates relevant sections of the LAMC referencing the CRA/LA, by themselves, does not propose or authorize any development or construction activities. Additionally, the proposed Project itself, does not change any land uses, increase any building heights, densities or intensities. The proposed Project will consolidate the land use authority of the CRA/LA-DLA with the City. Pursuant to ABX1 26, redevelopment agencies officially dissolved, however, it did not eliminate the land use regulations of the former CRA/LA's Redevelopment Plans. Currently, development projects located within a Redevelopment Project Area are subject to review by both the CRA/LA-DLA and the City. Since ABX1 26, the primary role of the CRA/LA-DLA has been to wind down its operations by performing activities related to enforceable obligations such as disposing of its assets, payments of bonds and loans. As such, the CRA/LA-DLA's capacity to implement the land use related plans and functions continues to be limited. Consolidation of land use authority would facilitate the CRA/LA-DLA's wind down pursuant to ABX1 26 and streamline the process for future development ensuring continuity in the implementation of the land use provisions of the Redevelopment Plans.

Therefore, the transfer of related land use plans and functions and associated amendments to the LAMC is not expected to generate cumulative impacts. The Project does not promote or incentivize new development as the proposed resolution and ordinance serves to retain the City's local control over land use policy within its City boundaries. Therefore, an accumulation of similar ordinances to this effect would serve only to further reduce potential adverse environmental impacts by continuing to implement the Redevelopment Plan's regulations and reducing any conflicts from a dual regulatory review process. Therefore, this exception does not apply.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances that would create the reasonable possibility that the activity would have a significant effect on the environment. The Project does not authorize or expand any new development or construction activities, but instead transfers the land use authority of the CRA/LA-DLA to the City and facilitates that transfer by amending the LAMC to establish procedures for implementing the Redevelopment Plans and updating relevant LAMC sections. The related land use plans and functions currently require additional levels of review to ensure that projects are compatible with existing development and in conformance with the Redevelopment Plans. The Project does not generally increase building heights, FAR or densities. The land use related plans in some instances limit the building heights, FAR, and densities relative to the underlying zone as designated by the City. Only through an applicable discretionary review process will individual projects be able to increase building heights, FAR, or density. Consistent with existing codified processes and procedures, the proposed Project mainly serves to consolidate the land use authority of the CRA/LA-DLA to the City and amend the LAMC to facilitate the implementation of the Redevelopment Plans. Therefore, the Project will not foreseeably result in a significant impact to the environment as described in the previous sections, this exception does not apply.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The Project Area consisting of the 20 Redevelopment Project Areas are located in multiple neighborhoods and Community Plan areas. Currently, there are portions of two state scenic highways officially designated by the California Department of Transportation (Caltrans) within the City of Los Angeles; a portion of the Pasadena Freeway (also known as the Arroyo Seco Historic Parkway) and a portion of the Topanga State Scenic Highway. The Project by itself, does not propose or authorize new development or construction, therefore, it will not result in damage to scenic resources and is reasonably expected to ensure continuity in protecting potential damage to scenic resources. Therefore, this exception does not apply.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The Project does not authorize or expand any new development or construction activities, but instead is limited to transferring the land use authority of the CRA/LA-DLA to the City, establishing procedures for the implementation of the Redevelopment Plans and updating other relevant LAMC sections. Generally, the land use related plans of the CRA/LA-DLA require additional levels of review to ensure that projects are compatible with existing development and in conformance with the Redevelopment Plans. The Project does not specifically result in the development of a site and no specific development is proposed, thus, the proposed ordinance would not disturb any sites and create a hazard to the public or the environment.

It is considered unlikely that the Project would cause any impact causing a significant risk to the public. Any future development that occurs in the Project Area would be required to comply with existing regulations related to hazardous materials, therefore, this exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The Project will not cause a substantial adverse change in the significance of a historical resource, as the Project does not propose or authorize any development/construction activities. The Project instead is limited to transferring the land use authority of the CRA/LA-DLA to the City, establishing procedures for the implementation of the Redevelopment Plans and updating other relevant LAMC sections. It does not significantly change any land uses nor increase densities or intensities. The proposed resolution and ordinance does not propose any regulations which would create greater impacts to these resources.

There are Historic Resources located within the Redevelopment Project Areas which may be designated Historic Cultural Monuments (HCM) located within the various Redevelopment Project Areas throughout the City. Currently, any projects which have a designated HCM or Historic Resource on site need to comply with the existing regulations, processes and procedures for any demolitions, alterations, and/or additions to the building. This practice would continue upon transfer of land use authority. Future projects would need to continue to comply with the regulations of the applicable Redevelopment Plan and other applicable ordinances and provisions

of the LAMC. The Project, by itself does not propose or authorize any development, but seeks to consolidate the land use authority of the CRA/LA-DLA with the City. Therefore and consequently, the Project could not reasonably create greater impacts to the integrity of historic resources, this exception does not apply.

Therefore, the Project does not meet any of the exceptions as specified by CEQA Guidelines, Section 15300.2 and thus the Project qualifies for the above stated exemptions per CEQA.