

MOTION

PLANNING & LAND USE MANAGEMENT

The City's Cultural Heritage Ordinance, originally approved in 1962, was one of the earliest historic preservation ordinances in the nation, creating procedures for the designation and protection of local historic landmarks (Historic-Cultural Monuments). Sec. 22.171 of the Los Angeles Administrative Code allows the Cultural Heritage Commission to consider the nominations of sites as proposed Historic-Cultural Monuments, making recommendations to the City Council for final action, with professional staff support from the Planning Department's Office of Historic Resources.

On September 3, 2015, the Cultural Heritage Commission voted to recommend that the City Council initiate three proposed procedural amendments to the Cultural Heritage Ordinance, aimed at enhancing due process for property owners and clarifying designation criteria.

The existing ordinance does not provide for notification of a property owner that a nomination has been filed until after the Commission holds an initial hearing to take the nomination officially under consideration. The ordinance also does not trigger the "temporary stay" preventing demolition or alteration of a resource until the Commission officially acts to take a nomination under consideration.

On several occasions, property owners have demolished a building before it could be considered for potential Historic Cultural Monument (HCM) status. Under the proposed amendments, the temporary stay of demolition would begin when an application is deemed complete by staff and scheduled for the Commission's hearing, rather than after initial Commission consideration, thereby ensuring more appropriate due process and enabling owners to participate in all public hearings affecting their property.

The second proposed amendment would allow for an extension of up to 60 days to the time limits for Commission and Council consideration of a proposed Monument designation, with consent of the property owner, providing more flexibility and a fuller opportunity for property owners to participate meaningfully in the designation process. The final proposed amendment would reorganize, re-label, and number the ordinance's designation criteria, currently listed in a section labeled "Definition of Monument," to provide greater clarity that this ordinance section constitutes the criteria for designation.

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare an ordinance that incorporates the following amendments to the Cultural Heritage Ordinance, Sec. 22.171 of the Los Angeles Administrative Code:

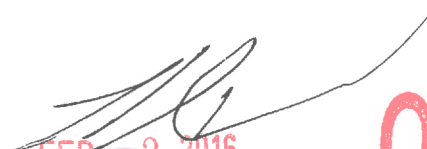
- 1) Provide for immediate notification of property owners when an Historic-Cultural Monument application has been deemed complete by Planning staff, concurrent with issuance of a temporary stay on demolition or substantial alteration.
- 2) Allow for an extension of up to 60 days to the time limits for Commission and Council consideration of a proposed Monument designation, with consent of the property owner.
- 3) Make any technical corrections to Section 22.171.7, and re-label this section from 'Definition of Monument' to 'Designation Criteria,' to enable this section's language to be used as separate criteria for designation.

PRESENTED BY: 

JOSÉ HUIZAR

Councilmember, 14th District

SECONDED BY: 


FEB - 2 2016

ORIGINAL