

EXHIBIT B:
Categorical Exemption

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: All

PROJECT TITLE: Historic Preservation Overlay Zone (HPOZ) Code Amendments; LOG REFERENCE: ENV-2016-1907-CE, CPC-2016-1906-CA

PROJECT LOCATION: Citywide

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: An ordinance amending Section 12.20.3 of the Los Angeles Municipal Code addressing Historic Preservation Overlay Zones, or historic districts, to modify Board composition and administration, modify procedures regarding the historic status of properties, modify procedures regarding review of projects, and establish procedures regarding demolition of historic resources.

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

CONTACT PERSON: Blair Smith; AREA CODE: 213; TELEPHONE NUMBER: 978-1174; EXT.:

Table with 3 columns: EXEMPT STATUS (Check One), STATE CEQA GUIDELINES, CITY CEQA GUIDELINES. Rows include MINISTERIAL, DECLARED EMERGENCY, EMERGENCY PROJECT, CATEGORICAL EXEMPTION (Class 8 & 31), and OTHER.

JUSTIFICATION FOR PROJECT EXEMPTION: Article 19, Section 15308, Class 8 of the State's Guidelines applies to where projects consist of "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." Class 31 applies "to maintenance, repair, stabilization, rehabilitation, restoration preservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Buildings." The HPOZ code amendment will ensure the protection of the environment by the enactment of design review regulations based on the Secretary of the Interior's Standards for Rehabilitation of historic buildings.

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: Principal City Planner; DATE: June 30, 2016; FEE; RECEIPT NO.; REC'D. BY; DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record Rev 12/12

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

California Environmental Quality Act (CEQA)

The proposed project consists of amendments to LAMC Section 12.20.3, the Historic Preservation Overlay Zone (HPOZ) Ordinance. Amendments include, but are not limited to: streamlining procedures for technical corrections to Historic Resources Surveys, modifying project thresholds to be more proportional to project sizes, strengthening regulations for projects on Non-Contributing Elements, allowing for a Board to serve multiple HPOZs, defining and strengthening regulations of demolition with and without permits, and establishing limits on street dedication requirements.

Department of City Planning staff concludes that Categorical Exemptions Class 8 and 31 of the State CEQA Guidelines are appropriate and that the exceptions to these two categorical exemptions do not apply. Categorical Exemption, Article 19, Section 15308, Class 8 “consists of 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.” Categorical Exemption, Article 19, Section 15331, Class 31 “consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Buildings (1995), Weeks and Grimmer.”

State of California CEQA Guidelines, Article 19, Section 15308, Class 8 *“consists of 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. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.”*

The project amends procedures for the regulation of construction activities to ensure the maintenance, restoration, enhancement, or protection of the City’s adopted HPOZs, the North University Park Specific Plan (the only Specific Plan which follows the HPOZ Ordinance), and future HPOZs. The project also amends procedures to improve the administration and efficiency of the HPOZ program. It is the overall intent of the HPOZ Ordinance to protect, enhance, and preserve identified historic resources and the environment. Without these amendments, the integrity of the City’s historic districts could be diminished through incompatible alterations, new construction, and the demolition of irreplaceable historic structures. For example, stronger regulations of Non-Contributing Elements will ensure that historic resources (HPOZs) and the environment are protected. The use of Categorical Exemption Class 8 from the State CEQA Guidelines is consistent with other California jurisdictions, which find that periodically amending regulations placed upon historic districts is necessary for further protecting the environment and making sure that maintenance, repair, restoration, and rehabilitation is done in such a way as to protect the resources and environment.

State of California CEQA Guidelines, Article 19, Section 15331, Class 31 *“consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.”*

The project falls under Categorical Exemption Class 31 for the maintenance, repair, stabilization, rehabilitation, restoration, preservation, or reconstruction of historic resources

consistent with the Secretary of the Interior's Standards. The project amends necessary procedures for the treatment of historic resources to ensure that all work within adopted HPOZs, the North University Park Specific Plan, and future HPOZs is consistent with the Secretary of the Interior's Standards. For example, defining demolition will help protect the majority of historic resources by preventing the demolitions of more than 50% of its structure and clarifying the review process for demolition. Additionally, establishing procedures to better document demolition, will create a record of historic resources lost through demolition activity, which will ensure consistency with the Secretary of the Interior's Standards. This will protect the adopted HPOZs, Specific Plan, and future HPOZs from construction activities that could damage their historic integrity and ensure that maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction is conducted in a historically appropriate manner.

Exceptions to the Use of Categorical Exemptions

Planning staff evaluated all the potential exceptions to the use of Categorical Exemptions for the proposed project and determined that none of these exceptions apply as explained below:

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 exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.

The project will not alter the environment, but rather will improve procedures to ensure that work and development does not have an impact on the environment. Therefore, there is no cumulative impact on the environment from previous HPOZ Ordinance revisions, current HPOZ Ordinance revisions, or future HPOZ Ordinance revisions.

Significant Effect - "A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances. Examples include projects which may affect scenic or historical resources.

The project, which includes clarifications of and improvements to procedures, will protect identified resources and the environment. There are no unusual circumstances that would have a significant impact on the environment due to the project. Therefore, there is no possibility of significant effects on the environment.

Scenic Highway - "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." This exception applies when a projects may result in damage to scenic resources within a duly designated scenic highway.

An HPOZ may abut or encompass a City or State scenic highway. The project would not negatively impact scenic resources within a duly designated scenic highway. Rather, the project, through its amendments, would better protect the unique character of scenic resources. For example, limiting street dedication requirements in order to preserve historic sidewalk depth and historic arroyo stone wall elements would preserve and protect scenic resources and their environment. Therefore, there are no impacts to scenic resources within a highway officially designated as a state scenic highway.

Hazardous Waste Site - "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." This exception applies when a project is located on a site or facility listed pursuant to California Government Code 65962.5.

The project, which addresses amendments to the HPOZ Ordinance, is not a site specific project and will not have an effect on the environment. Furthermore, the project involves procedures for protecting historic resources and does not interfere with, override, or obstruct the implementation of other environmental protections such as limitations on projects located on identified hazardous waste sites. Therefore, this exception does not apply.

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." This exception applies when a projects may cause a substantial adverse change in the significance of an historical resource.

The project would not cause an adverse change in the significance of a historical resource as defined in State CEQA 15064.5; rather, the proposed project would protect identified historic resources. The project would ensure that procedures better address various types of work and development to historic resources or within historic resources, while making sure that any new work and development maintains consistency with the Secretary of the Interior's Standards and is conducted in a historically appropriate manner, preserving the historic integrity of the resource and its environment. For example, strengthening the ability to regulate Non-Contributing Elements will better protect the character and environment of the historic resource. Therefore, there is no substantial adverse change in the significant of a historical resource.

Categorical Exemption ENV-2016-1907-CE was prepared on June 30, 2016.