

**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R17-0202

**JUN 15 2017**

**REPORT RE:**

**DRAFT ORDINANCE AMENDING SECTION 16.05 OF THE LOS ANGELES  
MUNICIPAL CODE TO ALIGN THE SITE PLAN REVIEW PROCESS WITH EXISTING  
ADMINISTRATIVE APPEAL TIMELINES AND RECENT CHANGES TO STATE  
ENVIRONMENTAL AND REDEVELOPMENT LAW**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 17-0559

Honorable Members:

As requested by the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, which would amend Section 16.05 of the Los Angeles Municipal Code to align the site plan review process with existing administrative appeal timelines and recent changes to State environmental and redevelopment law.

The first change is to remove the description of types of environmental clearances, the second change is to remove the requirement for the Community Redevelopment Agency to act as the lead agency under the California Environmental Quality Act, and the third change is to extend the time for an appeal to be set for public hearing from 30 days to 75 days.

A more detailed explanation of the proposed amendments is provided in the May 11, 2017, staff report prepared by the Department of City Planning.

Charter Findings

Pursuant to Charter Section 559, the City Planning Commission at its meeting on May 11, 2017, approved the draft ordinance and recommended that the City Council adopt it. If the City Council chooses to adopt this ordinance, it may comply with the provisions of Charter Section 558 by either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

CEQA Findings

The draft ordinance makes various technical changes to the administrative procedures applicable to processing site plan review applications and appeals. The City Council may determine that this project is not subject to the California Environmental Quality Act (CEQA) because the draft ordinance affects only continuing administrative activities or organizational activities of government that will not result in specific direct or indirect physical changes in the environment. Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(5).

The City Council may also determine this project is not subject to CEQA under the Common Sense Exemption because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3).


Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety with a request that all comments, if any, be presented directly to the City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8202. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON  
Chief Assistant City Attorney

DM:KTF:gl  
Transmittal