

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

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2017-1240-CA	ENV-2017-1241-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:
See Planner		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Christine Saponara	213-978-1226	christine.saponara@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Code Amendment		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

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:
May 11, 2017	7 - 0
LAST DAY TO APPEAL:	APPEALED:
N/A	No
TRANSMITTED BY:	TRANSMITTAL DATE:
James K. Williams	May 17, 2017



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 17 2017

Case No.: **CPC-2017-1240-CA**
CEQA: ENV-2017-1241-CE
Plan Areas: All

Council Districts: All

Project Site: Citywide

Applicant: City of Los Angeles
Representative: Christine Saponara, City Planner

At its meeting of **May 11, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following ordinance:

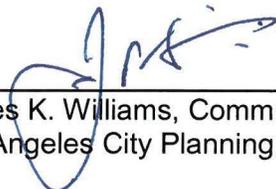
An Ordinance amending Section 16.05 of the Los Angeles Municipal Code to align provisions of the Site Plan Review Ordinance with recent changes to State law, involving revisions to the California Environmental Quality Act (CEQA) (SB226, SB743, and SB375) and the dissolution of redevelopment agencies Statewide. The amendment will also bring Site Plan Review time limits into consistency with those applicable to other similar types of cases.

1. **Determined** based on the whole of the administrative records, the Project is exempt pursuant to CEQA Guidelines, Sections 15061(b)(3) and 15378(b)(5) of the California Public Resource Code and City CEQA Guidelines, Article II, Section 2, Class (m);
2. **Approved and recommended** that the City Council **adopt**, pursuant to Section 12.32E of the Los Angeles Municipal Code (LAMC), an Ordinance amending the following sections of the LAMC:
 - a. Section 16.05.E(4): Removal of description of types of Environmental Clearances;
 - b. Section 16.05.G(2): Removal of requirement for the "CRA" to act as "Lead Agency";
 - c. Section 16.05.H(3): Modification of time for an appeal to be set for public hearing;
3. **Adopted** the staff report as the Commission's report on the subject; and
4. **Adopted** the Findings.

The vote proceeded as follows:

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

Vote: 7 - 0



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

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

Attachments: Proposed Ordinance, Findings, Categorical Exemption

c: Craig Weber, Senior City Planner
Christine Saponara, City Planner

ORDINANCE NO. _____

An ordinance amending Section 16.05 of the Los Angeles Municipal Code to align the Site Plan Review ordinance with recent changes to state law, involving revisions to the California Environmental Quality Act (CEQA) and the dissolution of redevelopment agencies statewide, and to make other cleanup amendments to the Municipal Code.

The People of the City of Los Angeles Do Ordain As Follows:

Sec. 1. Subdivision 4 of Subsection E of Section 16.05 of the Los Angeles Municipal Code is amended to read as follows:

E. Directors Authority.

The Director shall not approve or conditionally approve a site plan review for a development project unless an appropriate environmental review clearance has been prepared, in accordance with the requirements of CEQA.

Sec. 2. Subdivision 2 of Subsection G of Section 16.05 of the Los Angeles Municipal Code is amended to read as follows:

G. Procedure

2. **Environmental Review.** As part of the application for site plan review, the applicant shall file necessary forms and information for environmental review as prescribed by the Director. The Director, or his/her designee, shall cause to be prepared, concurrently with the review and approval of the site plan, the required environmental studies and notices for the project.

Sec. 3. Subdivision 3 of Subsection H of Section 16.05 of the Los Angeles Municipal Code is amended to read as follows: **H. Appeals.**

3. **Hearing Notice.** (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) Upon receipt of the appeal application, the Area Planning Commission Secretary shall set the matter for a public hearing to be held within 75 days of the filing of the appeal. The Secretary shall give notice of the hearing to the appellant and to all the other parties specified in Subsection G.3.(b) above, within the time and in the manner specified in that subsection.

FINDINGS

General Plan/Charter Findings

The proposed Code amendment (Exhibit A) is consistent and not in conflict with the General Plan or City Charter. The proposed Code amendment focuses solely on technical and procedural modifications related to compliance with recent adoption of state laws and changes to the Time to Act relating to appeals of projects subject to the Site Plan Review Ordinance. The proposed ordinance does not affect land use and no development project is proposed at this time. As such, the proposed Code amendment is an administratively focused action that is consistent and not in conflict with the General Plan and City Charter.

As such, 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 and proposed ordinance (Exhibit A).

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 (Exhibit A) is exempt from the California Environmental Quality Act (CEQA). The proposed Code amendment modifies administrative procedures, changes appropriations of "Lead Agency" and amends Time to Act for the processing of Site Plan Review appeals and has no effect on the physical environment.

Per 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 per 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 Site Plan Review thresholds. All projects that are currently required to apply for a Site Plan Review will continue to be subject to Site Plan Review procedures. Additionally 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.

Additionally the City’s CEQA Guidelines, Article II, Section 2, Class (m) also exempts the proposed Code Amendment as it does not result in impacts on the physical environment.

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 Citywide (1-15)
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PROJECT TITLE Site Plan Review Code Amendment	LOG REFERENCE ENV-2017-1241-CE
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PROJECT LOCATION
Citywide

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
 The proposed amendment to the Site Plan Review Ordinance is a minor technical revision to the Los Angeles Municipal Code (LAMC) to better align provisions of this section of the LAMC with changes to state law in recent years, involving revisions to the California Environmental Quality Act (CEQA) (SB226, SB743, and SB375) and the dissolution of redevelopment agencies statewide (ABx1 26). The amendment will also bring Site Plan Review time limits into consistency with those applicable to other similar types of cases.

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

CONTACT PERSON CHRISTINE SAPONARA	AREA CODE (213)	TELEPHONE NUMBER 978-1363	EXT. N/A
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EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. II, Sec. 2
Class <u> M </u> Category (City CEQA Guidelines)		
<input checked="" type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)	

*Section intentionally left blank.
Report Continued on page 2*

JUSTIFICATION FOR PROJECT EXEMPTION:

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 (Exhibit A) is exempt from the California Environmental Quality Act (CEQA). The proposed Code amendment modifies administrative procedures, changes appropriations of "Lead Agency" and amends Time to Act for the processing of Site Plan Review appeals and has no effect on the physical environment.

Per 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 per 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 Site Plan Review thresholds. All projects that are currently required to apply for a Site Plan Review will continue to be subject to Site Plan Review procedures. Additionally 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.

Additionally the City's CEQA Guidelines, Article II, Section 2, Class (m) also exempts the proposed Code Amendment as it does not result in impacts on the physical environment.

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 		TITLE City Planner	DATE April 21, 2017
FEE: N/A	RECEIPT NO. N/A	REC'D. BY	DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT: