

## **ORDINANCE NO. 186338**

An ordinance adding a new Section 11.5.13 to Article 1.5 of Chapter I of the Los Angeles Municipal Code to establish a procedure for appeals to the City Council from California Environmental Quality Act determinations by lower decision-making bodies.

### **THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

Section 1. A new Section 11.5.13 is added to Article 1.5 of Chapter I of the Los Angeles Municipal Code to read as follows:

#### **SEC. 11.5.13. CEQA PROCEDURES.**

**A. Purpose.** This section is intended to implement California Public Resources Code Sections 21151(c) and 21155.2(b)(6) consistent with the requirements of the California Environmental Quality Act (CEQA).

**B. Definition.** "Project" in this section is as defined by Public Resources Code Section 21065 and CEQA Guidelines Section 15378.

**C. Appeal.** When any decision-maker in any action authorized by this Chapter, other than the City Council, certifies an environmental impact report, adopts a negative declaration, a mitigated negative declaration, or a sustainable communities environmental assessment; or determines that the Project subject to approval under this Chapter is not subject to CEQA, that certification, approval, or determination may be appealed to the City Council, provided that:

1. all administrative appeals of the Project approval were exhausted;
2. the appeal is filed with the Department of City Planning within 15 days of the Project approval becoming final; and
3. the appeal is filed in a form and manner required by the Department of City Planning.

**D. Stay.** Upon the timely filing of an appeal pursuant to Subsection C, there shall be a stay on the Project approval and any discretionary or ministerial permits issued in reliance upon the Project approval. Notwithstanding any contrary language in this Code, the time to act on any related Project approval shall be tolled until the appeal is decided by the City Council.


**E. Hearing and Decision.** The City Council shall act on the CEQA appeal within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the City Council. The City Council shall hold a public hearing before acting on the appeal. Notice of the hearing shall be given by

mail at least ten days before the hearing to the applicant; the appellant; any person or entity that has made a request in writing to receive CEQA notices; and any responsible or trustee agencies.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

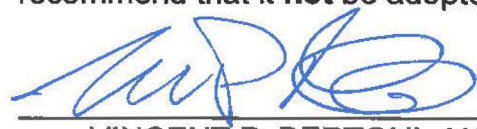
MICHAEL N. FEUER, City Attorney

By   
PARISSH A. KNOX  
Deputy City Attorney

Date 7-30-19

File No. CF-18-0066

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted.

  
VINCENT P. BERTONI, AICP  
Director of Planning

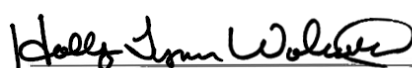
Date 7-19-19


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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members.

CITY CLERK

MAYOR

  
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Ordinance Passed 10/02/2019

Approved 10/15/2019


Ordinance Effective Date: 11/27/2019  
Council File No.: 18-0066

# DECLARATION OF POSTING ORDINANCE

I, Ottavia Smith state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

**Ordinance No.** 186338 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on 10/02/2019, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, I conspicuously posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records beginning on 10/17/2019 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.



Deputy Clerk

Date: 10/17/2019

Ordinance Effective Date: 11/27/2019

Council File No.: 18-0066