

## FINDINGS

### LAND USE FINDINGS

**In accordance with City Charter Section 556, the proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.**

The proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would further accomplish the following goals, objectives and policies of the General Plan as outlined below.

#### **General Plan Framework Element:**

**Objective 7.4.** Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.

#### **Housing Element**

**Objective 1.4.** Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

**Policy 1.4.1** Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

The proposed ordinance meets the purpose and intent of the General Plan by furthering the objectives, policies, and goals of the Framework and Housing Elements. The purpose of the proposed ordinance is to comprehensively reorganize Zoning Code processes and procedures, with the intention of laying the groundwork for a more user-friendly, transparent, and predictable set of zoning regulations. The proposed ordinance supports improvements to the provision of governmental services and processing of development applications by making it easier for both applicants and the public to clearly understand how the Department of City Planning considers land use and development proposals and how to navigate the decision-making process. This is accomplished by consolidating approximately 120 processes down to about 60 processes with unique workflows; standardizing timelines related to notification of public hearing, time to act, and time to file an appeal; locating the processes and procedures in one central location – Article 13 of Chapter 1A of the LAMC; and establishing a standard visual format with flowcharts.

The proposed ordinance also supports the streamlining of land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing. This is accomplished by clarifying the validity period of discretionary project approvals, while also maintaining an exception for 100%

affordable housing projects. Currently, applicants are allotted three years to “utilize” a project approval and an approval is considered “utilized” when a valid building permit has been issued and construction work has begun. These existing provisions conflate the functions of the two separate agencies involved in this stage of review, the Department of City Planning and the Department of Building and Safety, which has created confusion for applicants and City officials in calculating the proper validity period of the project approval. Therefore, the proposed ordinance amends these provisions to distinguish between “effectuation” and “utilization”, as well as clarifying the time limits which apply to each phase of review. A discretionary project approval is considered “effectuated” by the Department of City Planning when the conditions of approval of the grant are satisfied; the project approval must be effectuated within 3 years of effective date. A discretionary project approval is considered “utilized” after it has been effectuated by the Department of City Planning and a building permit has been issued by the Department of Building and Safety; utilization of the grant must occur no later than 3 years from the last date an action can be effectuated. While a three-year time period to utilize a project approval after it has been effectuated is the standard, the utilization time period for 100 percent affordable housing projects is being extended to six years in consideration of the fact that such projects generally require a longer period of time to secure financing before construction can commence. The proposed change helps reduce regulatory and procedural barriers to housing production.

**In accordance with City Charter Section 558(b)(2), the proposed ordinance is in substantial conformance with public necessity, convenience, general welfare and good zoning practice.**

The proposed ordinance amends Chapter 1 and establishes a new Chapter 1A of the Los Angeles Municipal Code to comprehensively reorganize Zoning Code processes and procedures, and lays the groundwork for a more user-friendly, transparent, and predictable set of zoning regulations. The proposed ordinance makes it easier for both applicants and the public to clearly understand how the Department of City Planning considers land use and development proposals and how to navigate the decision-making process. The proposed ordinance achieves this by consolidating and standardizing the processes and procedures for project review; locating the processes and procedures in one central location – Article 13 of Chapter 1A of the LAMC; and establishing a standard visual format with flowcharts. The proposed ordinance intends to provide the public with an accessible and transparent set of Zoning Code processes and procedures that is in conformance with the General Plan and good zoning practices.

## **ENVIRONMENTAL 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 is not a Project for purposes of the California Environmental Quality Act (CEQA). The proposed Code amendment modifies administrative procedures for the processing of entitlement requests and appeals and has no effect on the land use regulation of the physical environment.

Pursuant to 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 pursuant to 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 any discretionary actions into non-discretionary actions. Therefore, 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. Furthermore, the proposed Code amendment does not change the zoning of any properties. The proposed changes are limited to administrative procedures and will not have an effect on the physical environment. Therefore, the proposed Code amendment does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

The Code amendment also meets the requirements of the Class 8 Categorical Exemption pursuant to CEQA Guidelines, Section 15308. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to ensure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

Therefore, the Code amendment is not considered a “Project” under CEQA. However, if it were a project, it would be exempt from CEQA under the Class 8 Categorical Exemption and none of the exceptions to exemption under CEQA Guidelines Section 15300.2 apply.