



## DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

### CITY PLANNING COMMISSION

<b>DATE:</b>	July 25, 2024	<b>CASE NO.:</b>	CPC-2016-3182-CA-AMDT3
<b>TIME:</b>	After 8:30 A.M.	<b>CEQA NO.:</b>	ENV-2024-2777-CE
<b>PLACE:</b>	Van Nuys City Hall Council Chamber, 2nd Floor 14410 Sylvan Street Van Nuys, CA 91401	<b>RELATED CASES:</b>	CPC-2016-3182-CA
		<b>PLAN AREA:</b>	ALL

**PUBLIC HEARING:** July 25, 2024

### SUMMARY:

A proposed ordinance amending provisions in Sections 12.21, 12.24, 12.32, 13.08, 13.17, 16.03, 16.05, 17.01, 17.02, 17.03, 17.05, 17.06, 17.51, 17.53 and 18.12 of Chapter 1, and the Table of Contents, Sections 13A.1.7., 13A.2.1., 13A.2.2., 13A.2.4., 13A.2.7., 13A.2.9., 13A.2.10., 13B.1.4., 13B.2.1., 13B.2.2., 13B.2.3., 13B.2.4., 13B.2.5., 13B.4.1., 13B.4.2., 13B.4.3., 13B.4.4., 13B.4.5., 13B.5.1., 13B.5.2., 13B.5.3., 13B.5.4., 13B.5.5., 13B.7.2., 13B.7.3., 13B.7.5., 13B.7.6., 13B.7.7., 13B.7.8., 13B.8.4, 13B.8.5., 13B.8.6., 13B.8.7., 13B.10.3., 13B.10.4., and 13B.11.1. of Article 13 of Chapter 1A of the Los Angeles Municipal Code to address technical corrections and edits, clarifications, and bring certain provisions into compliance with state regulations as part of regular maintenance of the Zoning Code.

### RECOMMENDED ACTIONS:

1. **Determine** based on the whole of the administrative record, that the proposed ordinance is not a project under CEQA pursuant to Section 15378(b)(5) of the California Public Resource Code and is exempt from CEQA pursuant to Section 15061(b)(3) of the California Public Resource Code;
2. **Approve and recommend** that the City Council adopt the proposed Zoning Code Amendment Ordinance (Exhibit A) pursuant to Los Angeles Municipal Code (LAMC) Section 13B.1.3.D.3.;
3. **Adopt** the Staff Recommendation Report as the Commission's report on the subject; and
4. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP

Director of Planning

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#### **EXHIBITS:**

A. Revised Draft Proposed Ordinance, Dated July 2024

B. Initial Draft Proposed Ordinance, Dated May 2024

C. Notice of Exemption (ENV-2024-2777-CE)

## **PROJECT ANALYSIS**

### **Project Summary**

The Department of City Planning (City Planning) is launching a new effort to update the Zoning Code on a regular maintenance schedule. The Zoning Code comprises Chapter 1 and Chapter 1A of the Los Angeles Municipal Code (LAMC). From time to time, there is a need to make text amendments to the Zoning Code to ensure consistency and clarity in implementation. Just as infrastructure requires maintenance, the Zoning Code also needs regular maintenance. These maintenance amendments are intended to address technical, non-substantive text changes such as corrections, clarifications, and compliance with state law, so readers can easily understand and navigate the Zoning Code. This is the first proposed Zoning Code maintenance ordinance, with changes anticipated to occur bi-annually to ensure the new Zoning Code remains modern, easy to understand, and user-friendly.

### **Background**

The Processes & Procedures Ordinance (Ordinance No. 187,712) has been in operation as of January 22, 2024. Ordinance No. 187,712 amended the LAMC to reorganize the administrative provisions related to zoning and land use entitlements. The purpose of the reorganization was for stakeholders at all levels of familiarity with the Zoning Code to be able to navigate a standardized set of processes and procedures for review of a project, so as to maintain consistent administrative procedures across both Chapter 1 (referred to as the legacy Zoning Code), and Chapter 1A (referred to as the New Zoning Code) of the LAMC. The Processes and Procedures Ordinance, otherwise known as Article 13 - Administration of Chapter 1A of the LAMC, is the first operative Article in the New Zoning Code with the remaining articles anticipated to be operative by the end of 2024. Over the past several months of implementing the new processes and procedures of Article 13, City Planning identified the need to address technical corrections and clarifications, such as typographical errors and clarifications to help improve readability and maintain an easy to understand Zoning Code. To that end, the Director of City Planning initiated the Processes and Procedures Maintenance Ordinance (Maintenance Ordinance) to address these technical corrections and clarifications. The text amendments that are included in the proposed Maintenance Ordinance were generated based on items identified for correction and/or clarification by City Planning staff, as well as the public.

### **Other Jurisdictions**

In preparing the proposed Maintenance Ordinance, City Planning researched other jurisdictions that already maintain a regular practice of maintenance amendments to their respective Zoning Codes. City Planning staff specifically researched and met with planners in the cities of San Diego, California; Raleigh, North Carolina; and Denver, Colorado. Key takeaways and findings from those meetings are summarized below.

#### *City of San Diego*

The City of San Diego processes maintenance amendments to their Zoning Code through annual “Land Development Code Updates” and has been doing so regularly for nearly 20 years. Required updates are identified by City staff and may also be requested by members of the public through a dedicated public comment portal on the San Diego City Planning Department’s website. The main categories of Land Development Code Updates consist of changes to provide clarification, comply with state law, and ensure consistency with the City’s climate, equity, infrastructure and housing goals. Complex or time sensitive issues may be processed separately from the annual amendments as a “Single-Issue Update.”

#### *City of Raleigh*

The City of Raleigh administers their Zoning Code maintenance by way of a “Text Code Change” on an annual basis for consistency. Necessary text code changes are identified by City staff during the development review process and may also be raised by applicants or other members of the public. Clerical errors and clarifications in alignment with state law are the two main categories for the text code changes.

#### *City of Denver*

The City of Denver undergoes a process of updating their text amendments every two years to maintain consistency of the Zoning Code. The required text amendments are typically generated from internal staff consultation, as well as public feedback on where the Code text is unclear. Changes that are considered minor errors and clarifications are typically bundled into their bi-annual cleanup and maintenance text amendments. Amendments that represent major policy changes are typically prepared as stand-alone Zoning Code amendments. Denver’s Municipal Code also grants City departments the authority to make non-substantive changes such as updating section numbers and headings or correcting typos through publisher updates in lieu of the full legislative amendment process.

#### *Key Lessons Learned for Code Maintenance*

As the City of Los Angeles undergoes the adoption and maintenance of both the legacy and a New Zoning Code, many of the lessons learned from these and other cities can

and should be considered to streamline the regular maintenance of both Zoning Codes. In particular, the authority for City departments to make non-substantive changes when those departments function as the publisher of the Code, as is the case with the New Zoning Code, is an efficiency that will save staff time and resources.

As demonstrated by the proposed Maintenance Ordinance, which solely consists of technical corrections and clarifications for one Article (Article 13) of Chapter 1A of the LAMC, the initial implementation period of the new administrative processes and procedures generated nearly 90 line items for maintenance amendments. Looking ahead to other forthcoming New Zoning Code projects, the staff time and resources required for maintenance and publication of the Code can only be anticipated to increase substantially upon adoption of the Downtown Community Plan and associated New Zoning Code provisions, which comprise the remaining Articles (i.e. Articles 1-12 and 14-15) of Chapter 1A. Therefore, it is critical for the City to consider efficiencies that can be adopted for future Code maintenance efforts.

## **Proposed Ordinance**

An initial draft of the proposed Maintenance Ordinance was released on May 23, 2024 for public review and comment (Exhibit B). The proposed maintenance amendments to the administrative processes and procedures are sorted into three main categories:

- Technical Corrections and Edits - changes to correct typographical and grammatical errors, misplaced text, misnumbered section references, or correction of inadvertent errors with no impact on the policy
- Clarifications and Readability Improvements - changes to help make the Code text easier to understand and implement without changing the intent of the policy
- Compliance with State Regulations - changes to bring provisions into compliance with state regulations

Since the release of the initial draft proposed Maintenance Ordinance, an additional clarification has been identified by City Planning for inclusion in a revised draft of the proposed Maintenance Ordinance (Exhibit A). Further details on the specific, proposed maintenance amendments, including the additional clarification, are provided under each category below.

### **Technical Corrections and Edits**

#### *Updates to Accurately Reflect Ordinances with Parallel Adoption Timing*

Due to three ordinances that were moving through the legislative adoption process at the same time as Ordinance No. 187,712, certain provisions that were inadvertently removed or retained are now being updated to align with those ordinances with parallel adoption timing. To clarify, these ordinances amended certain sections that overlapped

with Ordinance No. 187,712, so these edits in the proposed Maintenance Ordinance ensure that the most accurate, up-to-date provisions are being reflected in the Zoning Code. The proposed edits include removal of and updates to text to align with the Restaurant Beverage Program Ordinance (Ord. No. 187,402), reinstatement of text to align with the Pet Shop Ordinance (Ord. No. 186,372) and reinstatement of text to align with the Protected Tree and Shrub Ordinance (Ord. No. 186,873).

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 12.21 A.10 (General Provisions; Use; Alcoholic Beverages)
  - 12.21 A.14 (General Provisions; Use; Alcoholic Beverages)
  - 12.24 X.2 (Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals; Alcoholic Beverages)
  - 12.24 X.31 (Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals; Pet Shops)
  - 17.02 A. (Definitions; Protected Tree or Shrub and Tree Expert)
  - 17.05 H.7 (Design Standards; Lot Size)
  - 17.05 R. (Design Standards; Protected Tree or Shrub Regulations)
  - 17.06 B.13 (Tentative Map and Appeals; Map Requirement)
  - 17.06 C. (Tentative Map and Appeals; Protected Tree and Shrub Reports for Tentative Tract Maps)
  - 17.51 D. (Filing of Preliminary Parcel Maps; Protected Tree and Shrub Reports for Parcel Maps)
- Sections of Chapter 1A of the LAMC: none

#### *Corrections to Reasonable Accommodation Appeal Noticing Requirements*

Reasonable Accommodation is a means of providing flexibility in the regulations or policies applied to those with disabilities, when necessary. This is to eliminate barriers to housing opportunities in compliance with the Fair Housing Act and keep sensitive medical information private. After a Reasonable Accommodation request is made by an applicant, a decision to approve or deny the request will be issued by the Zoning Administrator, and the decision may only be appealed by the adjacent and abutting property owners. Ordinance No. 187,712 inadvertently and incorrectly expanded the noticing requirements of the appeal public hearing to include parties other than adjacent and abutting owners, as well as newspaper publication and on-site posting notice. However, given the sensitive medical information involved, City Planning staff identified the need to revert back to the original appeal procedures of mail notice to adjacent and abutting owners only. The need for a correction to the noticing requirements was also identified in a previous technical memo to the City Council dated May 25, 2021 (Council File No. 12-0460-S4).

The relevant Code sections for these amendments include the following: Section of Chapter 1A of the LAMC

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - 13B.5.5.C.2.a. (Reasonable Accommodation; Notice; Notice of Public Hearing on Appeal)

#### *Corrections of Outdated Zoning Administrator References*

Ordinance No. 187,712 included several changes in decision-making authority for certain entitlement processes, one of which was amending the decision maker on Adjustments from the Zoning Administrator to the Director. While the majority of applicable references to the Zoning Administrator were updated to the Director as a result of this change, two references to the Zoning Administrator were missed. As such, necessary technical corrections are proposed to reflect the most up-to-date, appropriate Director's authority adopted pursuant to Ordinance No. 187,712.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 17.03 A. (Advisory Agency; Authority and Duties)
  - 17.53 J. (Approval of Preliminary Parcel Map Standards of Review; Further Authority)
- Sections of Chapter 1A of the LAMC: none

#### *Corrections to Address Typographical Errors*

Various typos have been identified and proposed for correction. Examples of such errors include using outdated entitlement process names, displaying incorrect spacing between words, and referencing the City Planning Commission instead of the Area Planning Commission.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 13.08 D.3. ("CDO" Community Design Overlay District; Approval of Guidelines and Standards)
  - 13.17 H.3. ("RIO" River Improvement Overlay District ;River Design Guidelines)
  - 16.05 D.3. (Site Plan Review; Exemptions)
  - 17.05 B. (Design Standards; Adoption of Standards)
- Sections of Chapter 1A of the LAMC:
  - 13.B.1.4.B.3.c. (Zone Change; Initiation; Establishment of Supplemental Use Districts or Overlays)
  - 13B.2.3.C.2. (Class 3 Conditional Use Permit; Notice)



- 13B.4.5.D.4.d. (Project Exception; Decision)

#### *Corrections to Address Misnumbered Citations*

Various citations that reference inaccurate Code sections have been identified and proposed for correction.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 12.21 A.24(e)(i) (Outdoor Dining Area Regulations for Restaurants; Administration; Waiver)
  - 17.01 A.1 (Tract Maps; Scope)
  - 17.01 A.2 (Tract Maps; Scope)
  - 17.01 A.3 (Tract Maps; Scope)
  - 17.01 B. (Tract Maps; Purpose)
  - 17.01 C. (Tract Maps; Interpretation)
- Sections of Chapter 1A of the LAMC:
  - 13B.1.4.I.6.a (Zone Change; Vesting Zone Change)

#### *Updates to Various Tables to Reflect Maintenance Ordinance Text and Section Number Changes*

As a result of several text and section number changes, technical edits to various tables are proposed to accurately reflect the applicable text and citation changes.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - Chapter 1A (Table of Contents)
  - 13A.2.2.A. (Table 2 Process Summary)
  - 13A.2.4.F. (Table 4 Summary of Notice Requirements)
  - 13A.2.10.A.2. (Table 5 Classification of Actions for Multiple Approvals)

#### **Clarifications and Readability Improvements**

##### *Clarification Regarding Applicability of T Classification, Clarifications of the Q Classification, or D Limitation*

The Zoning Code provisions regarding requests for an amendment of City Council's instructions involving a T Classification, clarifications of a Q Classification or D Limitation currently include a specific reference to Section 13B.1.4. (Zone Change) of Chapter 1A. This reference has caused confusion for City Planning staff in implementation, as it has raised questions on whether these provisions are meant to

only apply to zones changed via the procedures in Section 13B.1.4. established by Ordinance No. 187,712, and not those zones changed via procedures in place prior to the adoption of Ordinance 187,712. As Ordinance No. 187,712 did not intend to change the applicability of these provisions, and the specific reference to Section 13B.1.4. has caused confusion, this citation is proposed to be removed. It must be noted that removal of the citation does not change the meaning or policy of the provisions, but instead helps provide further clarity and improve readability as unnecessary language is being deleted.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 12.32 H.1
- Sections of Chapter 1A of the LAMC: none

*Global Renaming of Subsection H. Heading Title “Modification of Entitlement” to “Modification Procedures”*

In an effort to reduce confusion and better distinguish between the specific entitlement in Section 13B.5.4. called “Modification of Entitlement” and the general Subsection H. header for modification procedures which currently uses the same name, the header title for Subsection H. found in multiple Sections of Part 13B. (Processes and Procedures) is proposed to be globally renamed from “Modification of Entitlement” to “Modification Procedures”.

Due to the current situation where the repeated Subsection H. header and Section 13B.5.4. process name both use the same title of “Modification of Entitlement”, the term in question has caused confusion for City Planning staff and the public. The dual use of “Modification of Entitlement” for different topics has been consistently misunderstood to indicate that the Section 13B.5.4. Modification of Entitlement is applicable to every single process with a Subsection H. In reality, the Modification of Entitlement described in Section 13B.5.4. is a specific process that only applies to certain entitlements. In contrast, Subsection H. Modification of Entitlement is a general header title used to organize subsections that are part of the standard format for every process. Therefore, the title of Subsection H. is being changed to the more general term “Modification Procedures” to reduce the confusion regarding when the Section 13B.5.4. Modification of Entitlement process actually applies.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC:
  - 12.24 U.19(e) (Conditional Use Permit, Class 3; In the OS Open Space Zone)

- 12.24 W.1(d) (Authority of the Zoning Administrator for Conditional Uses/Initial Decision; The sale or dispensing for consideration of alcoholic beverages)
- 16.03 B. (Restoration of Damaged or Destroyed Buildings; Conditional Uses and Public Benefits)
- 18.12 (Modifications)
- Sections of Chapter 1A of the LAMC:
  - 13B.2.1.H. (Class 1 Conditional Use Permit)
  - 13B.2.2.H. (Class 2 Conditional Use Permit)
  - 13B.2.3.H. (Class 3 Conditional Use Permit)
  - 13B.2.4.H. (Project Review)
  - 13B.2.5.H. (Director Determination)
  - 13B.4.2.H. (Project Compliance)
  - 13B.4.4.H. (Project Adjustment)
  - 13B.4.5.H. (Project Exception)
  - 13B.5.1.H. (Alternative Compliance)
  - 13B.5.2.H. (Adjustment)
  - 13B.5.3.H. (Variance)
  - 13B.5.4.H. (Modification of Entitlement)
  - 13B.5.5.H. (Reasonable Accommodation)
  - 13B.7.2.H. (Parcel Map Exemption/Lot Line Adjustment)
  - 13B.7.3.H. (Tentative Tract Map)
  - 13B.7.3.I.4.f.ii. (Tentative Tract Map; Vesting Tentative Map)
  - 13B.7.5.H. (Preliminary Parcel Map)
  - 13B.7.7.H. (Private Street Map)
  - 13B.8.4.H. (Review of Conforming Work)
  - 13B.8.5.H. (Certificate of Appropriateness (Construction, Addition, Alteration or Reconstruction))
  - 13B.8.6.H. (Certificate of Appropriateness (Demolition, Removal, or Relocation))
  - 13B.8.7.H. (Certificate of Compatibility or Non-Contributing Elements)

*Replacement of the Term “Notwithstanding” Throughout Chapter 1A*

The new Chapter 1A of the LAMC aims to provide reading ease to stakeholders at all levels of familiarity with the Zoning Code. To that end, the term “notwithstanding” is proposed to be replaced throughout Chapter 1A with the words “despite” or “regardless of” to maintain the same underlying meaning but use more common phrasing.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:

- 13A.2.1.A.3. (Applicability; General)
- 13A.2.7.E. (Scope of Decision; Planning and Zoning Matters in Litigation)
- 13A.2.9.A. (Permits Issued in Error; Void Permits)
- 13B.1.4.A.5. (Zone Change; Applicability)
- 13B.1.4.I.4. (Zone Change; Vesting Zone Change)
- 13B.4.1.C.2. (Specific Plan Implementation; General Provisions)
- 13B.4.3.A.3.b. (Specific Plan Implementation; Project Compliance (Design Review Board))
- 13B.5.3.A.2.b. (Variance; Applicability)
- 13B.10.3.F.2. (Annual Inspection Monitoring (Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection and/or Buyback Centers, Recycling Materials Sorting Facilities, Cargo Container Storage Yards, and Collection Bins); Scope of Decision)
- 13B.10.4.F.1. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area); Scope of Decision)
- 13B.10.4.H.1. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area); Further Action)
- 13B.11.1.G.5.a. (Environmental Review Procedures; Scope of CEQA Appeal Action)
- 13B.11.1.I.5.a.ii (Environmental Review Procedures; Prohibition and Enforcement of Improper Segmentation of Projects)

### *Reorganization of Subdivision Appeal Procedures*

In an effort to reduce the need for cross-referencing multiple sections, the Subdivision Appeal procedures are proposed to be reorganized by removing the standalone Section 13B.7.8. (Subdivision Appeals) in Chapter 1A and relocating the appeal provisions to its relevant, corresponding Subsection 13B.7.2.G. (Parcel Map Exemption/Lot Line Adjustment; Appeals) and Subsection 13B.7.5.G (Preliminary Parcel Map; Appeals) instead.

Instead of Subsection 13B.7.2.G. (Parcel Map Exemption/Lot Line Adjustment; Appeals) and Subsection 13B.7.5.G. (Preliminary Parcel Map; Appeals) directing the reader to see the procedures in Section 13B.7.8. (Subdivision Appeals), the text from Section 13B.7.8 is proposed to be inserted directly into the relevant subsections. These proposed amendments would remove an unnecessary standalone Zoning Code section and instead locate the applicable appellate procedures directly within the subsections that actually use those appellate procedures, helping reduce the need for readers and users to flip between multiple Zoning Code locations to find necessary information.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - 13B.2.5.G.5.b. (Director Determination; Appeals)
  - 13B.7.2.C.2.a. (Parcel Map Exemption/Lot Line Adjustment; Notice; Notice of Public Hearing on Appeal)
  - 13B.7.2.G. (Parcel Map Exemption/Lot Line Adjustment; Appeals)
  - 13B.7.5.C.3.a. (Preliminary Parcel Map; Notice; Notice of Public Hearing on Appeal)
  - 13B.7.5.G. (Preliminary Parcel Map; Appeals)
  - 13B.7.5.H.5. (Preliminary Parcel Map; Modification Procedures)
  - 13B.7.6.H.2.a. (Final Parcel Map; Modification of Record Final Parcel Map)
  - 13B.7.8. (Subdivision Appeal)

#### *Clarification of Zoning Administrator Interpretation Appellate Standard of Review*

After the release of the initial draft proposed Maintenance Ordinance in May 2024, City Planning identified an additional necessary clarification regarding the applicable appellate standard of review for Zoning Administrator Interpretations, commonly referred to as ZAls. ZAls are unique from other typical entitlements in that they are established pursuant to specific Zoning Administrator authority located in Section 13A.1.7.D.2. (Zoning Administrator; Specific Authority; Zoning Administrator Interpretation) of Division 13.A.1. (Authorities) of Part 13A. (General Administration Provisions) Chapter 1A of the LAMC. In contrast, other entitlements are located in various sections comprising Divisions 13B.1. (Legislative Action) through 13B.11. (California Environmental Quality Act Provisions) of Part 13B. (Processes and Procedures) of Chapter 1A of the LAMC. Further, the entitlements located in Part 13B. specifically cite Section 13A.2.8. (Appeals) in their appellate procedures, making it clear that the provisions of Section 13A.2.8., including the general “de novo” appellate standard of review, apply to the other non-ZAI entitlements.

Section 13A.2.8. does allow for exceptions to the general appellate procedures and standard of review, indicated by the provisions stating “Unless otherwise required by a specific process...” As such, any procedural exceptions can be found in the specific process itself. An example of such an exception is Section 13B.10.2. (Appeals from LADBS Determinations), which includes specific provisions in Subsection E. (Standards for Review and Required Findings) stating that the appellate body considers whether there was an “error or abuse of discretion” by the decision maker rather than defaulting to the general “de novo” appellate standard of review described in Section 13A.2.8.E. (Appeals; Standard of Review and Required Findings).

Given the unique location and authority pertaining to ZAls, there has been a lack of clarity regarding whether appeals of ZAls are subject to the “de novo” appellate standard of review described in Section 13A.2.8.E. that applies to the typical

entitlements located in Part 13B. Additionally, the ZAI procedures in Section 13A.1.7.D.2. do not reference Section 13A.2.8., nor do they include any specific provisions that describe either the “de novo” or “error or abuse of discretion” appellate standard of review. The appellate procedures for ZAIs in Section 13A.1.7.D.2. are instead limited to the following:

“e. Anyone aggrieved by the Zoning Administrator’s determination may file an appeal within 15 days of the issuance of the written decision.

f. The City Planning Commission shall hear appeals on Zoning Administrator interpretations where there is no site specific issue. The Area Planning Commission shall hear appeals on site specific Zoning Administrator interpretations.”

Furthermore, there is a clear distinction between ZAIs versus other entitlements in Part 13B. ZAIs are issued by the Zoning Administrator with their authority to make interpretations of the Zoning Code. Some examples of this authority include interpreting zoning regulations when the meaning of the regulation is unclear or determining allowable uses in various zones. In addition, other entitlements in Part 13B. are entitlements requested by individual applicants for their development projects which in most cases involve application of or deviation from existing zoning regulations rather than interpretations of the Zoning Code.

Therefore, an amendment is proposed to provide the necessary clarification on the applicable appellate standard of review for ZAIs. As City Planning’s practice has always been to consider appeals of ZAIs based on the “error or abuse of discretion” appellate standard, even prior to the adoption of Ordinance No. 187,712, a new Subparagraph g. is proposed to be added to Section 13A.1.7.D.2. stating the following:

“g. In making a determination on an appeal of the Zoning Administrator interpretation, the Area Planning Commission or City Planning Commission shall consider whether there was an error or abuse of discretion by the Zoning Administrator.”

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - 13A.1.7.D.2. (Zoning Administrator; Specific Authority; Zoning Administrator Interpretation)

### **Compliance with State Regulations**

#### *Alignment of Final Parcel Map and Final Tract Map Filing Requirements with the Subdivision Map Act*

An amendment is proposed to align the City's Zoning Code requirements for filing Final Parcel Maps and Final Tract Maps with the State's Subdivision Map Act. Currently, the Zoning Code imposes a 36-month time limit on the City Engineer to submit a Final Map to the City Clerk, whereas the state regulations are silent on any required time limits for the City Engineer. The proposed amendment would remove the unnecessarily specific local Zoning Code time limit to be consistent with the more general state regulations, and provide the City Engineer with the necessary clarity to process Final Maps in compliance with the Subdivision Map Act.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - 13B.7.3.F.2.a. (Tentative Tract Map; Scope of Decision; Time Limit for Final Map Filing)
  - 13B.7.3.F.2.b. (Tentative Tract Map; Scope of Decision; Time Limit for Final Map Filing)
  - 13B.7.5.F.2.a. (Preliminary Parcel Map; Scope of Decision; Time Limit for Final Map Filing)
  - 13B.7.5.F.2.b. (Preliminary Parcel Map; Scope of Decision; Time Limit for Final Map Filing)

#### *Alignment of Tentative Tract Map Appeal Period with the Subdivision Map Act*

The final amendment proposed is to correct the Tentative Tract Map appeal period to be in alignment with the Subdivision Map Act. The Zoning Code currently requires appeal filings on Tentative Tract Maps to be submitted within 15 days of the mailed or written decision, whereas the Subdivision Map Act requires appeal filings to be submitted no later than 10 days after the mailed or written decision. As the Subdivision Map Act establishes a maximum time limit of 10 days, the City's Zoning Code cannot exceed the state-mandated appeal filing period. Therefore, this proposed amendment would bring the Tentative Tract Map appeal filing deadline into compliance with state regulations.

The relevant Code sections for these amendments include the following:

- Sections of Chapter 1 of the LAMC: none
- Sections of Chapter 1A of the LAMC:
  - 13B.7.3.G.3.a. (Tentative Tract Map; Appeals)

## **Conclusion**

The initial implementation period of the Processes and Procedures Ordinance (Ordinance No. 187,712) continues to provide the Department of City Planning with the opportunity to learn and improve its efforts to transition to a modern, easy to understand, and user-friendly Zoning Code. Best practices from other jurisdictions have also provided helpful guidance in launching a new effort to update the Zoning Code on a regular maintenance schedule, rather than reacting to issues that may occur on a case-by-case and interim basis, particularly when launching the New Zoning Code which will require maintenance of two Zoning Codes for some time until all parts of the City are under the New Zoning Code (Chapter 1A of the LAMC) and the legacy Zoning Code (Chapter 1 of the LAMC) can be retired. Just as infrastructure requires maintenance to respond to the needs of the City, so too does the Zoning Code require regular text amendments to ensure consistency and clarity in implementation. Therefore, the Department of City Planning recommends that the City Planning Commission approve and recommend the City Council adopt the revised draft of the proposed Processes and Procedures Maintenance Ordinance.



## FINDINGS

### General Plan/Charter Findings

#### Charter 556 (General Plan).

In accordance with City Charter Section 556, the proposed Processes and Procedures Maintenance Ordinance (Maintenance Ordinance) is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would further accomplish the goals, objectives, and policies of the General plan as outlined below:

<b>Framework Element - Economic Development (<a href="#">Chapter 7</a>)</b>
<p><b>Objective 7.4</b> Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.</p> <p><b>Objective 7.8</b> Maintain and improve municipal service levels throughout the City to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development.</p>

The proposed Maintenance Ordinance supports the intent of the Processes and Procedures Ordinance (Ordinance No. 187,712) to comprehensively reorganize the Zoning Code processes and procedures in a user-friendly and transparent way, and maintains the overall goal of providing clarity and consistency in the administrative process of development applications. The proposed Maintenance Ordinance also 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.

#### **City Charter Section 558 and Section 13B.1.3.E. of the LAMC (Public Necessity, Convenience, General Welfare, Good Zoning Practice).**

In accordance with City Charter Section 558 (b)(2) and Section 13B.1.3.E. of the LAMC, the proposed Maintenance Ordinance is in substantial conformance with public necessity, convenience, general welfare, and good zoning practice because it supports and maintains the intent of Ordinance No. 187,712 to provide the public with a user-friendly and easy to understand set of administrative Zoning Code processes and procedures, while also laying the groundwork for a more predictable and consistent new Zoning Code system.

**Environmental/CEQA Findings**

The Department of City Planning has determined, based on the whole of the administrative record, that the proposed Maintenance Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) and Section 15378(b)(5). The proposed Maintenance Ordinance solely modifies administrative procedures for the processing of entitlement requests and has no effect on the physical environment.

Pursuant to Section 15061(b)(3), the proposed Maintenance Ordinance is not a project under CEQA, because the “activity is covered by the common sense exception 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 Maintenance Ordinance is also not a project under CEQA pursuant to Section 15378(b)(5) because “organization 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 Maintenance Ordinance does not change any discretionary actions into non-discretionary actions. Further, the proposed Maintenance Ordinance does not change the zoning of any properties. The proposed changes are limited to technical corrections and clarifications of administrative procedures and will not have an effect on the physical environment. As such, the proposed Maintenance Ordinance 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 and is not considered a “project” under CEQA.

## **PUBLIC HEARING AND COMMUNICATIONS**

On May 23, 2024, the Department of City Planning released the proposed Processes and Procedures Maintenance Ordinance (Maintenance Ordinance) and sent an email to various interested parties including neighborhood councils.

On June 6, 2024, staff hosted a virtual informational webinar to provide information, answer questions, and gather input and written correspondence from individuals and organizations expressing interest in the proposed Maintenance Ordinance. Interested parties were notified via email and the informational webinar registration link was made available both via email and on the Department of City Planning's website. The webinar had 20 attendees.

Staff accepted written comments for consideration in this Staff Recommendation Report from May 23, 2024 through June 21, 2024. Staff did not receive any correspondence regarding the proposed Maintenance Ordinance.

The required public hearing to receive public testimony for the proposed ordinance will be held during the City Planning Commission meeting on July 25, 2024 before consideration by the CPC. A hearing notice for the public hearing was published in the Daily Journal on July 1, 2024.

# **EXHIBIT A**

## **Revised Draft Proposed Ordinance, Dated July 2024**

**ORDINANCE NO. \_\_\_\_\_**

A proposed ordinance amending Sections 12.21, 12.24, 12.32, 13.08, 13.17, 16.03, 16.05, 17.01, 17.02, 17.03, 17.05, 17.06, 17.51, 17.53 and 18.12 of Chapter 1, and the Table of Contents, Sections 13A.1.7., 13A.2.1., 13A.2.2., 13A.2.4., 13A.2.7., 13A.2.9., 13A.2.10., 13B.1.4., 13B.2.1., 13B.2.2., 13B.2.3., 13B.2.4., 13B.2.5., 13B.4.1., 13B.4.2., 13B.4.3., 13B.4.4., 13B.4.5., 13B.5.1., 13B.5.2., 13B.5.3., 13B.5.4., 13B.5.5., 13B.7.2., 13B.7.3., 13B.7.5., 13B.7.6., 13B.7.7., 13B.7.8., 13B.8.4, 13B.8.5., 13B.8.6., 13B.8.7., 13B.10.3., 13B.10.4., and 13B.11.1. of Article 13 of Chapter 1A of the Los Angeles Municipal Code to make technical corrections and clarifications as part of regular maintenance of the Zoning Code.

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

**Section 1.** Subdivision 10 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

10. **Alcoholic Beverages.** Notwithstanding any other provisions of this Chapter to the contrary, no building, structure or land shall be used for sale or dispensing for consideration of any alcoholic beverage, including beer and wine, for consumption on the premises except upon premises approved for that use in accordance with the provisions of Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code, or if the establishment complies with all the requirements and standards under Sections 12.22 A.34 (Restaurant Beverage Program) or 12.22 A.35 (Restaurant Beverage Program - Alcohol Sensitive Use Zone). The provisions of this subdivision shall not abrogate, however, any right to the continued use of premises for these purposes pursuant to Sec. 13B.2.2.A.3. (Class 2 Conditional Use Permit; Applicability; Existing Uses) of Chapter 1A of this Code. ~~Certain restaurants may be excepted from the provisions of this Subdivision and Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code. pursuant to authority of the Zoning Administrator contained in Section 12.24 X.2. of this Chapter.~~

**Section 2.** The title of Subdivision 14 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**10. Alcoholic Beverages (Off-Site).**

**Section 3.** Sub-subparagraph (i) of Subparagraph (2) of Paragraph (e) of Subdivision 24 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

(i) Relief from the Outdoor Dining Area enclosure standard in LAMC Section 12.21 A.24.(d)(l)(i) may be requested through the approval of plans on the original discretionary entitlement pursuant to LAMC Section ~~12.24 M. 13B.2.2.H. (Class 2 Conditional Use Permit; Modification Procedures)~~. If there is no original discretionary entitlement, relief may be requested through a Conditional Use Permit pursuant to LAMC Section 12.24 W.32.

**Section 4.** Paragraph (e) of Subdivision 19 of Subsection U. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**19. In the OS Open Space Zone:**

- (a) Recreation centers, senior citizen centers, community centers, clubhouses, community rooms, playgrounds, beaches, swimming pools, libraries, tennis courts, game courts, rest rooms, gyms and camping facilities.
- (b) Golf courses.
- (c) Museums.
- (d) Appurtenant structures adjacent to reservoir use, such as water treatment facilities, pumping facilities, distribution facilities and water filtration plants.
- (e) Nature preserves, subject to the approval of a detailed site plan and management program approved by the operating agency and by the City Planning Commission pursuant to

the procedure set forth in Subsection H. (Modification ~~of Entitlement—Procedures~~) of Sec. 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code

- (f) Aquaria, observatories, planetaria and zoos.
- (g) High voltage transmission lines (including towers).
- (h) Any use set forth in Section 12.04.05 B.1. when located on land which:
  - (1) includes a lake, river or stream; or
  - (2) is designated as an historic or cultural landmark.
- (i) Change of use from any of the uses listed above to any use described in Section 12.04.05 B.1.

**Section 5.** Paragraph (d) of Subdivision 1 of Subsection W. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- (d) Existing Uses.** The use of a lot for an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for on-site or off-site consumption may not be continued or re-established without conditional use approval granted in accordance with the provisions of this Section if, after September 13, 1997, there is a substantial change in the mode or character of operation of the establishment, including any expansion by more than 20 percent of the floor area, seating or occupancy, whichever applies; except that construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any expansion of less than 20 percent of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to Subsection H. (Modification~~—of Entitlement Procedures~~) of Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code.

**Section 6.** Subdivision 2 of Subsection X. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code is hereby deleted.

~~2. **Alcoholic Beverages.** A Zoning Administrator may, upon application, permit a restaurant, with seating on the premises for no more than 50 persons, to offer for sale or to dispense for consideration alcoholic beverages, including beer and wine, incidental to meal service.~~

~~(a) **Procedures.** Notwithstanding the provisions of Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of this Code, an application for permission pursuant to this Subdivision shall instead notify the owners and occupants of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the application. If, however, the applicant submits with its application the written approval of owners of all properties abutting, across the street or alley from, or having a common corner with the subject corner, then the matter does not have to be set for public hearing.~~

~~(b) **Supplemental Findings.** In addition to the findings set forth in Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of this Code, the Zoning Administrator shall also find:~~

~~(1) that the restaurant contains a kitchen as defined in Section 12.03 of this Chapter;~~

~~(2) that the primary use of the restaurant premises is for sit-down service to patrons;~~

~~(3) that any take-out service is only incidental to the primary sit-down use;~~

~~(4) that the restaurant is not located within 600 feet of a hospital, church, school (including day care center), public park or playground, or youth facility; and~~

~~(5) that the hours of operation will not adversely affect the surrounding neighborhood.~~



~~(c) **Conditions.** The Zoning Administrator may impose any conditions necessary to assure that the premises continue to operate in a manner consistent with the findings. In addition, any application approved pursuant to this Subdivision shall be subject to the following conditions and restrictions:~~

~~(1) Alcoholic beverages, including beer and wine, may be sold or dispensed for consideration for consumption on the premises only, and only when served at tables or sit-down counters by employees of the restaurant.~~

~~EXCEPTION: However, beer and wine may be sold or dispensed for consideration for consumption beyond the premises in a delicatessen (which is a restaurant having regular take-out service of prepared and unprepared foods), if and only if the sit-down food and beverage service area of the delicatessen occupies in excess of 50 percent of the floor area of the premises (exclusive of the kitchen, restroom, storage and utility areas);~~

~~(2) Dancing or live entertainment shall not be permitted on the premises;~~

~~(3) A separate cocktail lounge or bar shall not be located on the premises;~~

~~(4) Alcoholic beverages or beer or wine shall not be served in conjunction with the operation of any billiard or pool hall, bowling alley, or adult entertainment business as defined in Section 12.70 of this Chapter; and~~

~~(5) Alcoholic beverages shall not be sold, dispensed, or allowed to be consumed on the premises between the hours of midnight and 6 o'clock a.m.~~

**Section 7.** Subdivision 31 of Subsection X. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be reinstated to read as follows:

**31. Petshops (Added by Ord. No. 186,372, Eff.12/10/19.)**

- (a) A Zoning Administrator, upon application, may permit Pet Shops in the CR, C1, and C1.5 Zones; or Pet Shops in the C2, C4, C5, or CM Zones that do not meet the development and operation standards in Section 12.14 A.1(b)(4) of this Code.
- (b) **Procedures.** An application pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28 C.1, 2, and 3 of this Code. A hearing is not required if the applicant submits with the application the written approval of the owners of all properties abutting across the street or alley from, or having a common corner with the subject property.

**Section 8.** Subdivision 1 of Subsection H. of Section 12.32 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

1. Application. A request for an amendment of Council's instructions involving the T Classification or a clarification of a Q Classification or D Limitation set forth in an ordinance ~~pursuant to Sec. 13B.1.4. (Zone Change) of Chapter 1A of this Code as adopted by a Zone Change~~ may be filed by one or more of the owners or lessees of the subject property with the Department on a form accompanied by information required by the Department and by a fee as provided in Section 19.01.

**Section 9.** Subdivision 3 of Subsection D. of Section 13.08 of Article 3. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. **Procedures.** See Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment (Policy Action) of Chapter 1A.

**Section 10.** Subdivision 3 of Subsection H. of Section 13.17 of Article 3 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. **Procedures.** See Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment (Policy Action) of Chapter 1A of this Code.

**Section 11.** Subsection B. of Section 16.03 of Article 6 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**B. Conditional Uses and Public Benefits.** The following conditional uses and public benefits are considered to be of such importance and their expeditious replacement is of such value to the health and safety of the community that they are hereby granted an exemption from the plan approval process required by Subsection H. (~~Modification of Entitlement Procedures~~) of Sec. 13B.2.2. (Class 2 Conditional Use Permit) and 13B.3.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code, provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height. (Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)

**Conditional Uses and Public Benefits**

Airports or aircraft landing fields  
Correctional or penal institutions  
Educational institutions  
Libraries, museums, fire or police stations or governmental enterprises  
Piers, jetties, human-made islands, floating installations  
Public utilities and public service uses and structures  
Schools, elementary and high  
Electric power generating sites, plants or stations  
OS Open Space Zone uses  
Child care facilities or nursery schools  
Churches or houses of worship  
Hospitals or sanitariums

If issues of interpretation or administration relating to the above exemptions arise, the Director is authorized to resolve those issues in light of the scope and purposes of this subsection. (Amended by Ord. No. 173,492, Eff. 10/10/00.)

**Section 12.** Subdivision 3 of Subsection D. of Section 16.05 of Article 6.1. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. Any development project located within the boundaries of an adopted Redevelopment Project Area with an Unexpired Redevelopment Plan, as defined in Section 11.5.14, shall be exempt from ~~site-plan-review~~ Project Review when:

**Section 13.** Subdivision 1 of Subsection A. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

1. No person shall subdivide land in the City of Los Angeles into five or more parcels unless a Final Map has been recorded as provided in this Article and pursuant to Div. 13B.~~8.7.~~ (Division of Land) of Chapter 1A of this Code.

**Section 14.** Subdivision 2 of Subsection A. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

2. No building or structure shall be constructed or enlarged on any land which has been subdivided in violation of the provisions of this Article and Div. 13B.~~8.7.~~ (Division of Land) of Chapter 1A of this Code, nor shall any permit be issued therefor.

**Section 15.** Subdivision 3. of Subsection A. of Section 17.01 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. The provisions of this Article shall not be construed as preventing the recording of a final tract map containing less than five lots or creating fewer than five condominium units in accordance with the procedures outlined in Div. 13B.~~8.7.~~ (Division of Land) of Chapter 1A of this Code and in the Subdivision Map Act.

**Section 16.** Subsection B. of Section 17.01 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**B. Purpose.** The purpose of this Article is to regulate and control the division of land, within the City of Los Angeles, to provide for the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities to serve the future inhabitants of the subdivision, to supplement the provisions of the Subdivision Map Act concerning the design, improvement and survey data of subdivisions, the form and content of Tentative Maps and Final Maps. The establish procedure to be followed in securing the official approval of the City of Los Angeles on such maps must be done pursuant to Div. 13B.~~8.7.~~ (Division of Land) of Chapter 1A of this Code, in a manner that is consistent with the applicable general and specific plans as well as the public health, safety and welfare.

It is also the intention of this Article that the subdividing of land in the City of Los Angeles be done in accordance with the grading regulations of the

City contained and set forth in Article 1 (Building Code) of Chapter 9 (Building Regulations) of this Code and to establish when possible beauty and attractiveness in the hills consistent with watershed drainage, erosion and fire control requirements, and good engineering practices.

**Section 17.** Subsection C. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**C. Interpretation.** This Article and Div. 13B.~~8-7~~ (Division of Land) of Chapter 1A of this Code shall not be interpreted or construed to invalidate any previous act on the part of the City approving or authorizing private streets, or authorizing the issuance of building permits for structures on lots served by private streets.

**Section 18.** The definition of Protected Tree in Subsection A. of Section 17.02 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**Protected Tree or Shrub** – Any of the following Southern California ~~native indigenous~~ tree species, which measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree; or any of the following Southern California indigenous shrub species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the shrub:

Protected Trees:

- (a) Oak tree including Valley Oak (*Quercus lobata*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to Southern California but excluding the Scrub Oak (*Quercus*~~*dumosa berberidifolia*~~).
- (b) Southern California Black Walnut (*Juglans californica*~~*var. californica*~~).
- (c) Western Sycamore (*Platanus racemosa*).
- (d) California Bay (*Umbellularia californica*).

Protected Shrubs:

- (a) Mexican Elderberry (*Sambucus mexicana*)
- (b) Toyon (*Heteromeles arbutifolia*)

~~This~~The definition shall not include any tree or shrub grown or held for sale by a licensed nursery, or trees planted or grown as a part of a tree planting program.

**Section 19.** The definition of Tree Expert in Subsection A. of Section 17.02 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**Tree Expert** – A person with at least four years of experience in the business of transplanting, moving, caring for and maintaining trees and who is one or more of the following: (a) a certified arborist with the International Society of Arboriculture and who holds a valid California license as an agricultural pest control advisor; or (b) a certified arborist with the International Society of Arboriculture and who is a licensed a landscape architect or (c) a registered consulting arborist with the American Society of Consulting Arborists.

**Section 20.** Subsection A. of Section 17.03 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**A. Authority and Duties.** See Sec. 13B.7.1.C. (General Provisions; Advisory Agency) of Chapter 1A of this Code.

When the Advisory Agency approves or conditionally approves a tentative map, it may also designate certain lots or proposed buildings, whether existing or to be constructed on a lot shown on said map, as sites for the construction of model dwellings. The Advisory Agency is authorized to designate said sites only if it determines that they comply, or can be made to comply with the design standards for sites for model dwellings as hereinafter set forth in Section 17.05 of this article.

In addition to the authorities established in Div. 13B.7. (Division of Land) of Chapter 1A of this Code, the Advisory Agency, acting in the capacity of the ~~Associate Zoning Administrator~~ Director, shall also have the authority to reduce the width of required passageways pursuant to Section 12.21 C.2.(b) (Spaces Between Buildings – Passageways) of this Chapter to no less than five feet between habitable buildings and detached condominiums, unless the Fire Department determines that the reduction would result in a safety hazard. And shall have the authority to grant deviations of no more than 20 percent from the applicable area, yard, and height requirements. The subdivider must ask for adjustments at the time of filing. In permitting adjustments, the Advisory Agency shall make the findings contained in Sec. 13B.5.2. (Adjustment) of Chapter 1A of this Code.

The reductions / deviations shall be included in the written decision of the Advisory Agency. Notification and appeal rights to such reductions / deviations shall conform to Sec. 13B.7.2. (Tentative Tract Map) of Chapter 1A of this Code.

**Section 21.** Subsection B. of Section 17.05 of Article 7 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

- B. Adoption of Standards. A public hearing shall be conducted by the Commission prior to the approval of any change in the standards, pursuant to the procedures in Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment(Policy Action) of Chapter 1A of this Code.

**Section 22.** Subdivision 7 of Subsection H of Section 17.05 of Article 7 of the Los Angeles Municipal Code is amended to read as follows:

7. Where the Advisory Agency finds the project is consistent with the dwelling unit density permitted by the General Plan, and that the public health, safety or welfare and good subdivision design will be promoted by the preservation of protected trees and shrubs, the Advisory Agency may permit the required area of one or more of the lots in a subdivision in an “RA”, “RE”, “RS” or “R1” Zone to be reduced by an amount sufficient to provide for protected tree and shrub preservation in accordance with Subsection P. (Protected Tree Regulations) of this Section 17.05 R. of this Code. Provided, however, that in no event shall the reduction exceed 50 percent of the required lot area; no “RA” or “RE” lot shall be reduced below 50 feet in width; no “RS” or “R1” lot shall be reduced below 40 feet in width; and no lot in a designated “K” Horsekeeping District shall be reduced below 17,500 square feet.

**Section 23.** Subsection R. of Section 17.05 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- R. Protected Tree or Shrub Regulations.** No protected tree or shrub may be relocated or removed except as provided in this Article or Article 6 of Chapter IV (Preservation of Protected Trees) of Chapter 4 (Public Welfare) of this Code. The term “removed” or “removal” shall include any act that will cause a protected tree or shrub to die, including but not limited to acts that inflict damage upon the root system or other parts of the tree or shrub by fire, application of toxic substances, operation of equipment or



machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.

1. **Required Determinations.** Subject to historical preservation requirements set forth in Subdivision 3. of this Subsection, when a protected tree or shrub exists within a proposed subdivision, the tree or shrub may be relocated or removed if the Advisory Agency, in consultation with the City's Chief Forester, determines the existence of either (a) or (b) below:

(a) There has been prior applicable government action in which:

- (i) The removal of the tree or shrub had been approved by the Advisory Agency; or
- (ii) The property upon which the protected tree or shrub is located has been the subject of a determination by the City Planning Commission, the City Council, a Zoning Administrator, or an Area Planning Commission, the appeal period established by this Code with respect to the determination has expired, the determination is still in effect, and pursuant to the determination, the protected tree's or shrub's removal would be permissible; or
- (iii) A building permit has been issued for the property upon which the protected tree or shrub is located, the permit is still in effect, and the removal or relocation is not prohibited by the permit.

(b) The removal of the protected tree or shrub would not result in an undesirable, irreversible soil erosion through diversion or increased flow of surface waters that cannot be mitigated to the satisfaction of the City's Chief Forester, and the physical condition or location of the tree or shrub is such that:

- (i) Its continued presence in its existing location prevents the reasonable development of the property; or



- (ii) According to a report required pursuant to Section 17.06 C. ~~(Protected Tree Report for Tentative Tract Maps)~~, acceptable to the Advisory Agency and prepared by a ~~Tree~~ eExpert, there is a substantial decline from a condition of normal health and vigor of the tree or shrub, and its restoration through appropriate and economically reasonable preservation procedures and practices is not advisable; or
  - (iii) It is in danger of falling due to an existing and irreversible condition.
  - (iv) Its continued presence at its existing location interferes with proposed utility services or roadways within or without the subject property, and the only reasonable alternative to the interference is the removal of the tree or shrub; or
  - (v) It has no apparent aesthetic value, which will contribute to the appearance and design of the proposed subdivision; or it is not located with reference to other trees, shrubs or monuments in such a way as to acquire a distinctive significance at the location.
2. **Supplemental Authority.** In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above, that a protected tree or shrub may be removed or relocated, the Advisory Agency may:
- (a) Require relocation elsewhere on the same property where a protected tree or shrub has been approved for removal, and where the relocation is economically reasonable and favorable to the survival of the tree or shrub. Relocation to a site other than upon the same property may be permitted where there is no available or appropriate location on the property and the owner of the proposed off-site relocation site consents to the placement of a tree or shrub. In the event of relocation, the Advisory Agency may designate

measures to be taken to mitigate adverse effects on the tree or shrub.

- (b) Permit protected trees or shrubs of a lesser size, or trees or shrubs of a different species, to be planted as replacement trees or shrubs for protected trees or shrubs permitted by this Code to be removed or relocated, if replacement trees or shrubs required pursuant to this Code are not available. In that event, the Advisory Agency may require a greater number of replacement trees or shrubs.

3. **Historical Monuments.** The Advisory Agency, except as to Subdivision 1(b)(iii) above, shall require retention of a protected tree or shrub at its existing location, if the tree or shrub is officially designated as an Historical Monument or as part of an Historic Preservation Overlay Zone.

4. **Requirements.** In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above that a protected tree or shrub may be removed or relocated, the Advisory Agency shall require that:

- (a) The protected tree or shrub is replaced within the property by at least two trees of a protected variety included within the definition set forth in Section 17.02 (Definitions) of this Article, except where the protected tree is relocated pursuant to Subdivision 2.(a) above. The size of each replacement tree shall be a 15-gallon, or larger, specimen, measuring one inch or more in diameter at a point one foot above the base, and not less than seven feet in height, measured from the base. The size and number of replacement trees shall approximate the value of the tree to be replaced.
- (b) The subdivider record those covenants and agreements approved by the Advisory Agency necessary to assure compliance with conditions imposed by the Advisory Agency and to assure protected tree and shrub preservation.
- (c) The subdivider provide protected tree and shrub maintenance information to purchasers of lots within the proposed subdivision.

(d) The subdivider post a bond or other assurance acceptable to the City Engineer to guarantee the survival of trees and shrubs required to be replaced or permitted or required to be relocated, in a manner to assure the existence of continuously living trees and shrubs at the approved replacement or relocation site for three years from the date that the trees or shrubs are replaced or relocated. The City Engineer shall use the provisions of Section 17.08 G. ~~(Improvements; Guarantees) of this Article~~ as its procedural guide in satisfaction of the bond requirements and processing. Any bond required shall be in a sum estimated by the City Engineer to be equal to the dollar value of the replacement tree or shrub or of the tree or shrub that is to be relocated. In determining value for these purposes, the City Engineer shall consult with the Advisory Agency, the City's Chief Forester, the evaluation of trees guidelines approved and adopted for professional plantersman by the International Society of Arboriculture, the American Society of Consulting Arborists, the National Arborists Association and the American Association of Nurserymen, and other available, local information or guidelines.

5. **Grading.** The Advisory Agency is authorized to prohibit grading or other construction activity within the drip line of a protected tree or shrub.

**Section 24.** Subdivision 13 of Subsection B. of Section 17.06 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

13. The approximate location and general description of any large or historically significant trees or shrubs and of any protected trees or shrubs and indication as to the proposed retention or destruction of the trees or shrubs.

**Section 25.** Subsection C. of Section 17.06 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

C. **Protected Tree and Shrub Reports for Tentative Tract Maps.** No application for a tentative tract map approval for a subdivision where a protected tree or shrub is located shall be considered complete unless it includes a report, in a form acceptable to the Advisory Agency and the City's Chief Forester, which pertains to preserving the tree and shrub and

evaluates the subdivider's proposals for the preservation, removal, replacement or relocation of the tree or shrub. The report shall be prepared by a tree expert and shall include all protected trees and shrubs identified pursuant to ~~Subdivision 13. of Subsection B. (Map Requirements) of this~~ Section 17.06 B.13 of this Code. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of a protected tree or shrub referred to in the report, or proposes to relocate or remove any protected tree or shrub, the report shall also evaluate any mitigation measures proposed by the subdivider and their anticipated effectiveness in preserving the tree or shrub.

**Section 26.** Subsection D. of Section 17.51 of Article 7 of Chapter 1 of the Los Angeles Municipal code shall be amended to read as follows:

- D. Protected Tree or Shrub Reports for Parcel Maps.** No application for a preliminary parcel map approval for a parcel where a protected tree or shrub is located shall be considered complete unless it includes a report pertaining to preserving the tree or shrub. The report shall be prepared by a ~~T~~tree ~~E~~expert and shall evaluate the subdivider's proposals for protected tree or shrub preservation, removal, replacement and/or relocation. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of any protected tree or shrub referred to in the report, or proposes to relocate or remove any tree or shrub, the report shall also evaluate any mitigation measures proposed by the subdivider and the anticipated effectiveness in preserving the tree or shrub.

**Section 27.** Subsection J. of Section 17.53 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- J. Further Authority.** The Advisory Agency, acting in the capacity of the ~~Associate Zoning Administrator~~ Director, shall have the authority to reduce the width of required passageways pursuant to Section 12.21 C.2.(b) (Spaces Between Buildings – Passageways) of this Chapter to no less than five feet between habitable buildings and detached condominiums, unless the Fire Department determines that the reduction would result in a safety hazard. And shall have the authority to grant deviations of no more than 20 percent from the applicable area, yard, and height requirements. The subdivider must ask for adjustment(s) at the time of filing. In permitting adjustments, the Advisory Agency shall make the findings contained in Section 12.28 C.4.

The reductions / deviations shall be included in the written decision of the Advisory Agency. Notification and appeal rights to such reductions / deviations shall conform to Section 17.54 A.

**Section 28.** Section 18.12 of Article 8. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**SEC. 18.12. MODIFICATIONS.**

**(Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)**

See Sec. 13B.7.7. H. (Private Street Map; Modification ~~of Entitlement~~ Procedures) of Chapter 1A of this Code.

**Section 29.** Section 13B.7.8. Subdivision Appeal within Division 13B.7. of Part B. of the Table of Contents of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:

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**Section 30.** A new Subparagraph g. of Paragraph 2. (Zoning Administrator Interpretation) of Subsection D. (Specific Authority) of Section 7. (Zoning Administrator) of Division 13A.1. (Authorities) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be added to read as follows:

- g. In making a determination on an appeal of the Zoning Administrator interpretation, the Area Planning Commission or City Planning



Commission shall consider whether there was an error or abuse of discretion by the Zoning Administrator.

**Section 31.** Paragraph 3. of Subsection A. (General) of Section 1. (Applicability) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

3. Projects shall not be subject to the provisions of this ordinance if a complete application for an entitlement was filed and fees were paid prior to the date on which this ordinance becomes operative. Any such project shall be subject to the administrative regulations in Chapter 1 of the Los Angeles Municipal Code that were in effect on the date on which the application was filed. Projects for which a complete application for an entitlement has been filed and for which fees were paid prior to this ordinance's operative date may opt to proceed under the provisions of this ordinance if a required public hearing has not yet been held for the project. Notwithstanding Despite the forgoing, any appeal filed on or after the operative date of this ordinance shall be subject to the appellate standard of review established in this ordinance.

**Section 32.** Section 13A.2.2.A Process Elements within Table-2 Process Summary of Subsection A. (Overview) of Section 2. (Process Elements) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:

Table 2 - Process Summary

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Legislative Action													
General Plan Adoption / Amendment		R+						[R]+	[D]+	R/SV+			
Specific Plan Adoption / Amendment		R						[R]+	[D]+	SV+			
Zoning Code Amendment		R						[R]+	D+	SV+			
Zone Change		R					[R]	[R]*	[D]+	SV+			
Guidelines or Standards Adoption / Amendment		R						[D]					
Land for Public Use								R	D				
Quasi-Judicial Review													
Class 1 Conditional Use Permit			<D>				[A]						
Class 2 Conditional Use Permit			[D]+				[A]+						
Class 3 Conditional Use Permit		[R] ‡						[D]+	[A]				
Project Review		<D>					[A]						
Director Determination		D					[A]	[A]					
Ministerial Action													
Administrative Review		D											
Specific Plan Implementation													
Project Compliance		<D>					[A]						
Project Compliance (Design Review Board)		D					[A]				[R]		
Project Adjustment		<D>					[A]						
Project Exception							[D]		[A]				
Specific Plan Interpretation		<D>					[A]	[A]					
Quasi-Judicial Relief													
Alternative Compliance		D					[A]						
Adjustment		<D>					[A]						

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Variance			[D]†				[A]†		[A]				
Modification of Entitlement	↔			↔			↔						
Reasonable Accommodation		D							[A]				
Non-Compliance													
Evaluation of Non-Compliance			[D]				[A]	[D]	[A]				
Nuisance Abatement/Revocation			[D]						[A] †				
Division of Land													
Parcel Map Exemption/ Lot Line Adjustment		D					[A]	[A]					
Tentative Tract Map		[D]		R			[A]	[A]					
Final Tract Map					C				D				
Preliminary Parcel Map		[D]		R			[A]	[A]					
Final Parcel Map					C				D				
Private Street Map		<D>		R			[A]	[A]					
Subdivision Appeal							{D}	{D}					
Historic Preservation													
Historic Preservation Overlay Zone Designation								[R]	[D]				C
Preservation Plan Adoption / Amendment		R				[R] ‡		[D]					[R]
Review of Conforming Work	D											D	
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)		D					[A]					[R]	
Certificate of Appropriateness (Demolition, Removal, or Relocation)							D		[A]			[R]	
Certificate of Compatibility for Non-Contributing Elements		D					[A]					[R]	

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Coastal Development													
Coastal Development Permit (Pre-Certification)	↔						↔			↔			
Coastal Development Permit (Post-Certification)		<D>			<D>		[A]						
Department of Building and Safety													
Appeals from LADBS Determination		<D>					[A]	[A]					
California Environmental Quality Act (CEQA) Provisions													
CEQA Appeal									D				

**Key**

C Certification

R Review &amp; Recommendation

D Decision or Acceptance

SV Signature / Veto

A Appeal

[ ] Public Hearing

‡ Optional or where directed by decision maker

Blank Cell Not required

† Required by City Charter

*Italics* Action only under certain conditions (such as project size, type, or transfer from another agency, etc.)

↔ Varies with underlying process

\* If filed by application and CPC recommends disapproval, its decision is appealable to CC.

&lt; &gt; Public Hearing optional or waivable

*Note: This table is a general summary. Refer to Div. 13B.1. through Div. 13B.11. for the specific procedure. If there is any conflict between this table and the text in Div. 13B.1. through Div. 13B.11. relating to the procedure, the text in the applicable Division prevails.*

**Section 33.** Table 4 - Summary of Notice Requirements of Subsection F. (Notice Requirements of Each Process) of Section 4. (Notice of Public Hearing) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

Table 4 Summary of Notice Requirements

Action	Reference	Publication	Mail	Posting
Legislative Action	Div. 13B.1.			
General Plan Adoption / Amendment	Sec. 13B.1.1.	■	■	●
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■	●	●
Zoning Code Amendment	Sec. 13B.1.3.	■		
Zone Change	Sec. 13B.1.4.	■	●	●
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■		
Land for Public Use	Sec. 13B.1.6.			
Quasi-Judicial review	Div. 13B.2.			
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■	■
Class 2 Conditional Use Permit	Sec. 13B.2.2.	■	■	■
Class 3 Conditional Use Permit	Sec. 13B.2.3.	■	■	■
Project Review	Sec. 13B.2.4.		■	■
Director Determination	Sec. 13B.2.5.		○	○
Ministerial Action	Div. 13B.3.			
Administrative Review	Sec. 13B.3.1.			
Specific Plan Implementation	Div. 13B.4.			
Project Compliance	Sec. 13B.4.2.		○	
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■	■
Project Adjustment	Sec. 13B.4.4.		○	
Project Exception	Sec. 13B.4.5.	■	■	■
Specific Plan Interpretation	Sec. 13B.4.6.		○	
Quasi-Judicial Relief	Div. 13B.5.			
Alternative Compliance	Sec. 13B.5.1.		○	
Adjustment	Sec. 13B.5.2.		■	■
Variance	Sec. 13B.5.3.		■	■
Modification of Entitlement	Sec. 13B.5.4.		❖	❖
Reasonable Accommodation	Sec. 13B.5.5.	↻	○	↻
Non-Compliance	Div. 13B.6.			
Evaluation of Non-Compliance	Sec. 13B.6.1.		■	■
Nuisance Abatement/Revocation	Sec. 13B.6.2.		■	■
Division of Land	Div. 13B.7.			
Parcel Map Exemption/Lot Line Adjustment	Sec. 13B.7.2.			
Tentative Tract Map	Sec. 13B.7.3.	■	■	■
Final Tract Map	Sec. 13B.7.4.			
Preliminary Parcel Map	Sec. 13B.7.5.	■	■	■

Action	Reference	Publication	Mail	Posting
Final Parcel Map	Sec. 13B.7.6.			
Private Street Map	Sec. 13B.7.7.	■	■	■
<del>Subdivision Appeal</del>	<del>Sec. 13B.7.8.</del>		<del>■</del>	
Historic Preservation	Div. 13B.8.			
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	■	■	●
Preservation Plan Adoption or Amendment	Sec. 13B.8.3.		■	
Review of Conforming Work	Sec. 13B.8.4.			
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■	■
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■	■
Certificate of Compatibility	Sec. 13B.8.7.		■	■
Coastal Development	Div. 13B.9.			
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1		■	⚡
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2		■	⚡
Department of Building and Safety	Div. 13B.10			
Appeals from LADBS Determinations	Sec. 13B.10.2		■	
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11			
CEQA Appeal	Sec. 13B.11.1		■	

Key: ■ = initial decision ● site specific only (not City-initiated) ○ = appeal only ⚡ = varies with underlying application

**Section 34.** Subsection E. (Planning and Zoning Matters in Litigation) of Section 7. (Scope of Decision) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- E. The time limits set forth in Subsections A. (Discretionary Project Approvals Time Limits) and B. (Effectuation of Approvals) of this Section shall not include any time period during which the approval or the environmental clearance for the approval is challenged in court. ~~Notwithstanding~~ Despite any contrary language in the Zoning Code, this Chapter and Chapter 1 (General Provisions and Zoning) of this Code, the time limits in Subsections A and B of this Section shall be tolled until litigation is concluded.

**Section 35.** Subsection A. (Void Permits) of Section 9. (Permits Issued in Error) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- A. ~~Notwithstanding~~ Despite any other provisions of this Code or any other ordinance of the City, no permit or license shall be issued in violation of any provisions of this Code or any other ordinance of the City. Any permit or license issued in violation of any provision of this Code or any other ordinance of the City is void. Any permit or license that purports to authorize any act prohibited by any other provision of this Code or any other ordinance of the City is void.

**Section 36.** Section 13A.2.8. Subdivision Appeal within Table 5 - Classification of Actions for Multiple Approvals of Paragraph 2. of Subsection A. (Applicability) of Section 10. (Multiple Approvals) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:

Table 5 - Classification of Actions for Multiple Approvals

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
<b>Legislative Action</b>	<b>Div. 13B.1.</b>				
General Plan Adoption / Amendment	Sec. 13B.1.1.	■			
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■			
Zoning Code Amendment	Sec. 13B.1.3.	■			
Zone Change	Sec. 13B.1.4.	■			
Guidelines or Standards Adoption/Amendment	Sec. 13B.1.5.	■			
Land for Public Use	Sec. 13B.1.6.	■			
<b>Quasi-Judicial Review</b>	<b>Div. 13B.2.</b>				
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■		
Class 2 Conditional Use Permit	Sec. 13B.2.2.		■		
Class 3 Conditional Use Permit	Sec. 13B.2.3.		■		
Project Review	Sec. 13B.2.4.		■		
Director Determination	Sec. 13B.2.5.		■		
<b>Ministerial Action</b>	<b>Div. 13B.3.</b>				
Administrative Review	Sec. 13B.3.1.				—
<b>Specific Plan Implementation</b>	<b>Div. 13B.4.</b>				
Project Compliance	Sec. 13B.4.2.		■		
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■		
Project Adjustment	Sec. 13B.4.4.		■		
Project Exception	Sec. 13B.4.5.		■		
Specific Plan Interpretation	Sec. 13B.4.6.		—		
<b>Quasi-Judicial Relief</b>	<b>Div. 13B.5.</b>				
Alternative Compliance	Sec. 13B.5.1.		■		
Adjustment	Sec. 13B.5.2.		■		
Variance	Sec. 13B.5.3.		■		
Modification of Entitlement	Sec. 13B.5.4.		■		
Reasonable Accommodation	Sec. 13B.5.5.		—		
<b>Non-Compliance</b>	<b>Div. 13B.6.</b>				
Evaluation of Non-Compliance	Sec. 13B.6.1.		—		
Nuisance Abatement/Revocation	Sec. 13B.6.2.		—		
<b>Division of Land</b>	<b>Div. 13B.7.</b>				
Parcel Map Exemption/Lot Line Adjustment	Sec. 13B.7.2.			—	
Tentative Tract Map	Sec. 13B.7.3.			■	
Final Tract Map	Sec. 13B.7.4.			—	



Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
Preliminary Parcel Map	Sec. 13B.7.5.			■	
Final Parcel Map	Sec. 13B.7.6.			—	
Private Street Map	Sec. 13B.7.7.			■	
<del>Subdivision Appeal</del>	<del>Sec. 13B.7.8.</del>			<del>—</del>	
Historic Preservation	Div. 13B.8.				
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	—			
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.	■			
Review of Conforming Work	Sec. 13B.8.4.				—
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■		
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■		
Certificate of Compatibility	Sec. 13B.8.7.		■		
Coastal Development	Div. 13B.9.				
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1		■		
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2		■		
Department of Building and Safety	Div. 13B.10				
Appeals from LADBS Determinations	Sec. 13B.10.2		—		
Annual Inspection Monitoring (Recycling)	Sec. 13B.10.3		—		
Annual Inspection Monitoring (Automotive)	Sec. 13B.10.4		—		
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.				
CEQA Appeal	Sec. 13B.11.1.		—		

Key: ■ = qualifies for multiple approval — = does not qualify for multiple approval

**Section 37.** Paragraph 5. of Subsection A. (Applicability) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

5. ~~Notwithstanding Despite~~ the foregoing, the City Planning Commission, rather than the Area Planning Commission, shall have the authority to make recommendations on any application for or initiation of a proposed Zone Change when it is being considered in conjunction with an initiated General Plan Amendment.

**Section 38.** Subparagraph c. of Paragraph 3. (Establishment of Supplemental Use Districts or Overlays) of Subsection B. (Initiation) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- c. A Community Plan Implementation ~~Ordinance~~ Overlay (CPIO) District may not be established through the application procedure.

**Section 39.** Paragraph 4. (Conditional Approval or Denial) of Subsection I. (Vesting Zone Change) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- 4. ~~Notwithstanding Despite~~ the provisions of Subsection ~~H.2.a.1.2.a~~ (Vesting Zone Change; Development Rights) of this Section, a Vesting Zone Change may be:

**Section 40.** Subparagraph a. of Paragraph 6. (Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply with Subsequent Regulation Changes) of Subsection I. (Vesting Zone Change) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Any owner or lessee of the subject property subject to an approved Vesting Zone Change may file a verified application requesting an amendment of the City regulations described in Subsection ~~H.2.a.1.2.a~~ (Vesting Zone Change; Development Rights) of this Section vested by a Zone Change issued pursuant to this Section.

**Section 41.** The title of Subsection H. (Modification of Entitlement) of Section 1. (Class 1 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 42.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Class 2 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 43.** Subparagraph c. of Paragraph 2 (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 3. (Class 3 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Review) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- c. If the mailed notice within the required radius does not result in notice ~~that~~ to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

**Section 44.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Class 3 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 45.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Project Review) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 46.** Subparagraph b. of Paragraph 5. (Exception) of Subsection G. (Appeals) of Section 5. (Director Determination) of Division 13B.2. (Processes & Procedures) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. When the application is filed in conjunction with a Parcel Map and no other approval, the appeals procedures set forth in Sec. ~~13B.7.8. (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals) of this Code shall govern.

**Section 47.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Director Determination) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 48.** Paragraph 2. of Subsection C. (Decision Makers and Appellate Bodies for Other Specific Plan Provisions) of Section 1. (General Provisions) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

2. Despite any specific plan provision to the contrary and ~~notwithstanding~~ despite the language in 13B.4.1.B. above, there is only one level of appeal from any initial decision.

**Section 49.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Project Compliance) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 50.** Subparagraph b. of Paragraph 3. (Relationship to Specific Plans) Subsection A. (Applicability) of Section 3. (Project Compliance (Design Review)) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. Despite any provisions of a specific plan to the contrary and ~~notwithstanding~~ despite the language in 13B.4.1.B. above, no design review required by a specific plan shall be recommended for approval by a design review board or approved by the Director except as provided in this Section.

**Section 51.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Project Adjustment) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 52.** Subparagraph d. of Paragraph 4. (Decision) of Subsection D. (Decision) of Section 5. (Project Exception) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- d. If the ~~City Planning Commission~~ Area Planning Commission fails to make a timely decision, the applicant may file a request for transfer

of jurisdiction to the City Council pursuant to Sec. 13A.2.6 (*Transfer of Jurisdiction*).

**Section 53.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Project Exception) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 54.** The title of Subsection H. (Modification of Entitlement) of Section 1. (Alternative Compliance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 55.** Subsection H. (Modification of Entitlement) of Section 2. (Adjustment) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

The plan approval procedures that apply to Variances in Sec. 13B.5.3.H. (Variance; Modification ~~of Entitlement~~ Procedures) shall also apply to Adjustments.

**Section 56.** Subparagraph b. Of Paragraph 2. (Continuance of Variance or Exception) Subsection A. (Applicability) of Section 3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. ~~Notwithstanding~~ Despite any of the provisions of the ordinance granting a Variance or exception, the Zoning Administrator shall have jurisdiction to perform all administrative acts with which the Board of City Planning Commissioners, City Council or its Planning Committee were formerly charged with under the ordinance, such as approving plans, signs, types of use, and the like. The use of any building, structure or land existing at the time this Article became effective, by virtue of any exception from the provisions of former

ordinance No. 33,761 (N.S.), may be continued provided no new building or structure is erected, no existing building or structure is enlarged, and no existing use of land is extended.

**Section 57.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 58.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Modification of Entitlement) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 59.** The table in Subparagraph a. of Paragraph 2. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 5. (Reasonable Accommodation) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended read as follows:

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> <li>• In a newspaper of general circulation in the city, designated for that purpose by the City Clerk</li> </ul>
Mail	24 days	<ul style="list-style-type: none"> <li>• The applicant;</li> <li>• The appellant;</li> <li>• The owner(s) of the property involved; <u>and</u></li> <li>• Owners of all properties abutting, across the street or alley from or having a common corner with the subject property; <u>and</u></li> <li>• The Certified Neighborhood Council representing the area in which the property is located</li> </ul>
Posting	10 days	<ul style="list-style-type: none"> <li>• The applicant will post notice in a conspicuous place on the property</li> </ul>

**Section 60.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Reasonable Accommodation) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## H. Modification of Entitlement Procedures

**Section 61.** A new Paragraph 2. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be added to read as follows:

### **2. Notice of Public Hearing on Appeal**

a. The following notice is required for the public hearing on appeal.

Type of Notice	When	Where/To Whom/Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> <li>• Applicant</li> <li>• The person claiming to be aggrieved, if any;</li> <li>• The Advisory Agency; and</li> <li>• The Certified Neighborhood Council representing the area in which the property is located</li> </ul>

**Section 62.** Subsection G. (Appeals) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## G. Appeals

### **1. General Procedures**

See Sec. 13A.2.8. (Appeals).

### **2. Subdivision Appeal Decision Maker**

~~The action of the Advisory Agency may be appealed in accordance with Sec. 13B.7.8 (Subdivision Appeals).~~ The Appeal Board is the decision maker.

### **3. Filing**



- a. An application for a Subdivision Appeal is filed with the Department.
- b. Appeals must be filed within a period of 15 days after the date the initial decision was made.
- c. The appeal is not considered filed unless and until the form is properly completed and all required information is submitted.

#### **4. Who May File**

An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Parcel Map Exemption/Lot Line Adjustment, or a certificate or conditional certificate of compliance pursuant to Sec. 66499.35 (Remedies) of the California Government Code may appeal to the Appeal Board for a public hearing.

#### **5. Decision**

- a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.
- b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action of determination.
- c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.
- d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.



- e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.
- f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.
- g. Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.

**Section 63.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 64.** Subparagraph a. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Within 36 months after the approval or conditional approval of the Tentative Tract Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a Final Map prepared and filed with the City Engineer consistent with California Government Code Section 66452.6(d), as may be amended from time to time. The failure of a subdivider to file a map with the City Engineer ~~within that period and to have the map submitted by the City Engineer to the City Clerk~~ within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.

**Section 65.** Subparagraph b. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. The time limit for filing the Final Map with the City Engineer ~~and submittal by the City Engineer of the Final Map to the City Council~~ may be extended for a period or periods not exceeding a total of 72 months, unless otherwise prescribed by California Government Code Section 66452.6, as may be amended from time to time.

**Section 66.** Subparagraph a. (Filing) of Paragraph 3. (Appeal Board) of Subsection G. (Appeals) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Filing

Appeals to the Appeal Board shall be filed in duplicate, in a public office of the Department of city Planning on forms provided for that purpose within ~~15~~ 10 days of the mailing or written decision of the Advisory Agency and shall be accompanied by the fee required in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning) of this Code. No appeal shall be considered filed until the form has been properly completed and all information required by it has been submitted. The completed appeal form and file shall then immediately be transmitted to the Appeal board Secretary for public hearing before the Appeal Board.

**Section 67.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 68.** Sub-subparagraph ii. of Subparagraph f. of Paragraph 4. (Development Rights) of Subsection I. (Vesting Tentative Map) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- ii. An application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought. In addition, such application shall conform to the provisions relating to modification of Tentative Maps set for in Subsection H. (Modification ~~of Entitlement Procedures~~) of this Section.

**Section 69.** Subparagraph a. of Paragraph 3. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

### 3. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal by the Appeal Board:

Type of Notice	When	Where/To Whom/Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> <li>• <del>Subdivider</del><u>Applicant</u></li> <li>• <del>Appellant</del><u>The person claiming to be aggrieved, if any;</u></li> <li>• <del>The</del> <u>Advisory Agency; and</u></li> <li>• <del>Appeal Board (on Appeal to the City Council);</del> <u>and</u></li> <li>• <u>The Certified Neighborhood Council representing the area in which the property is located</u></li> </ul>

**Section 70.** Subparagraph a. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Within 36 months after the approval or conditional approval of the Preliminary Parcel Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a Final Map prepared and

filed with the City Engineer consistent with California Government Code Section 66463.5, as may be amended from time to time. The failure of a subdivider to file a map with the City Engineer ~~within that period and to have the map submitted by the City Engineer to the City Clerk~~ within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.

**Section 71.** Subparagraph b. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. The time limit filing the Final Map with the City Engineer~~for the submittal by the City Engineer of the Final Map to the City Council~~ may be extended for a period or periods not exceeding a total of 72 months, unless otherwise prescribed by California Government Code Section 66463.5, as may be amended from time to time.

**Section 72.** Subsection G. (Appeals) of Section 5 (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## **G. Appeals**

### **1. General Procedures**

See Sec. 13A.2.8. (*Appeals*).

### **2. Subdivision Appeal Decision Maker**

~~The action of the Advisory Agency may be appealed in accordance with Sec. 13B.7.8 (Subdivision Appeals). The Appeal Board is the decision maker.~~

### **3. Filing**

- a. An application for a Subdivision Appeal is filed with the Department.
- b. Appeals must be filed within a period of 15 days after the date the initial decision was made.

- c. The Appeal is not considered filed unless and until the form is properly completed and all required information is submitted.

#### **4. Who May File**

An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Preliminary Parcel may appeal to the Appeal Board for a public hearing.

#### **5. Decision**

- a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.
- b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action of determination.
- c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.
- d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.
- e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.
- f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.

- g.** Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.

**Section 73.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 74.** Paragraph 5. of Subsection H. (Modification of Entitlement) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

5. The Advisory Agency action on a slight modification request may be appealed in accordance with the provisions of Sec. ~~13B.7.8. (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals)

**Section 75.** Subparagraph a. of Paragraph 2. of Subsection H. (Modification of Recorded Final Parcel Map) of Section 6. (Final Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. The public notice and hearing shall conform to the provisions of Sec. 13B.7.3. (Tentative Tract Maps). The decision of the Advisory Agency may be appealed in accordance with the applicable provisions of ~~Sec. 13B.7.8 (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals) of this Code relating to the appeal of Preliminary Parcel Maps.

**Section 76.** The title of Subsection H. (Modification of Entitlement) of Section 7. (Private Street Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 77.** Section 8. (Subdivision Appeal) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code is hereby deleted:

## ~~SEC. 13B.7.8.~~ **SUBDIVISION APPEAL**

### **A. Applicability**

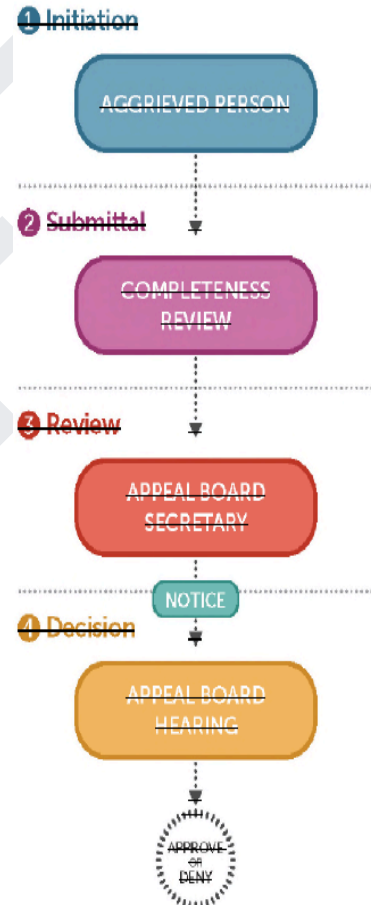
- ~~1. Each Section of this Division either establishes an appeals process, or indicates that an appeal is not available. This Section supplements those Sections. The appeal processes established for an individual procedure supersede this Section to the extent that they are inconsistent.~~
- ~~2. An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Preliminary Parcel Map, certificate or conditional certificate of compliance pursuant to Sec. 66499.35 (Remedies) of the California Government Code or an exemption from the Parcel Map regulations pursuant to Sec. 13B.7.2 (Parcel Map Exemption/Lot Line Adjustment) may appeal to the Appeal Board for a public hearing.~~

### **B. Initiation**

- ~~1. An application for a Subdivision Appeal is filed with the Department.~~
- ~~2. Appeals must be filed within a period of 15 days after the date the initial decision was made.~~
- ~~3. The appeal is not considered filed unless and until the form is properly completed and all required information is submitted.~~

### **C. Notice**

~~Sec. 13B.7.8. Subdivision Appeal~~



**~~1. Notice of Public Hearing on Appeal~~**

- ~~a. The following notice is required for the public hearing on the appeal to the Appeal Board:~~

<b>Type of Notice</b>	<b>When</b>	<b>Where / to Whom / Additional Requirements</b>
Mail	As required by state law	<ul style="list-style-type: none"> <li><del>• Applicant;</del></li> <li><del>• The person claiming to be aggrieved, if any;</del></li> <li><del>• The Advisory Agency; and</del></li> <li><del>• The Certified Neighborhood Council representing the area in which the property is located</del></li> </ul>

**~~D. Decision~~****~~1. General Procedures~~**

~~See Sec. 13A.2.8. (Appeals).~~

**~~2. Appellate Decision~~**

- ~~a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.~~
- ~~b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action or determination.~~
- ~~c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.~~



- ~~d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.~~
- ~~e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.~~
- ~~f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.~~
- ~~g. Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.~~

**Section 78.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Review of Confirming Work) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 79.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 80.** The title of Subsection H. (Modification of Entitlement) of Section 6. (Certificate of Appropriateness (Demolition, Removal, or Relocation)) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 81.** The title of Subsection H. (Modification of Entitlement) of Section 7. (Certificate of Compatibility or Non-Contributing Elements) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 82.** Paragraph 2. (Loss of Non-Confirming Rights) Subsection F. (Scope of Decision) of Section 3. (Annual Inspection Monitoring (Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection and/or Buyback Centers, Recycling Materials Sorting Facilities, Cargo Container Storage Yards, and Collection Bins)) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

2. ~~Notwithstanding~~ Despite any provision of this Code to the contrary, where a certificate of occupancy is revoked pursuant to this Section, a new certificate of occupancy for the property may only be issued if all requirements of the Code in effect at the time of issuance of the new certificate are satisfied. in the case of a site which has no valid certificate of occupancy any and all rights which may be granted by Sec. 12.23 (Nonconforming Building and Uses) of Chapter 1 (General Provisions and Zoning) of this Code are revoked.

**Section 83.** Paragraph 1. (Loss of Non-Confirming Rights) Subsection F. (Scope of Decision) of Section 4. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area)) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

1. ~~Notwithstanding~~ Despite any provision of this Code to the contrary, if a Certificate of Occupancy is revoked pursuant to this subsection, then a new Certificate of Occupancy for the property may only be issued if all requirements of the Code in effect at the time of application for such new Certificate are satisfied.

**Section 84.** Paragraph 1. (Repeat Violations) Subsection H. (Further Action) of Section 4. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area)) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

1. ~~Notwithstanding~~ Despite any provision of this Section to the contrary, if an order is issued for violation of a provision of the Code, and after compliance with it, a subsequent order is issued for a violation of the same provision occurring within 1 year of the date of the initial notice:

**Section 85.** Subparagraph a. Paragraph 5. (Housing Projects) Subsection G. (Scope of CEQA Appeal Action) of Section 1. (Environmental Review Procedures) of Division 13B.11. (California Environmental Quality Act (CEQA) Provisions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. ~~Notwithstanding~~ Despite Subsection F. (Appeals of CEQA Decisions) and Subsection G. (Scope of CEQA Appeal Action) in this Section, if a Project includes dwelling units, and the City Council reverses all CEQA Clearances for a Project, the Council does not have the option to reverse the CEQA Clearance without Remand in Paragraph F.9.b.iii (Council Authority on Appeal) of this Section.

**Section 86.** Sub-subparagraph ii. of Subparagraph a. Paragraph 5. (Penalties) Subsection I. (Prohibition and Enforcement of Improper Segmentation of Projects) of Section 1. (Environmental Review Procedures) of Division 13B.11. (California Environmental Quality Act (CEQA) Provisions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- ii. No permits may be issued by the Department of Building and Safety for new development on the Project Site for up to five (5) years from issuance of the Letter of Determination. Regardless of the above ~~notwithstanding~~, the Department of Building and Safety may issue any permits necessary to address a threat to the public health and safety. In imposing this penalty, the Zoning Administrator, or Area Planning Commission on appeal, may take into account any action taken by the Department of Building and Safety pursuant to

Section 91.106.4.1.10 (Permits Issuance; Issuance; Exceptions).

**Section 87. SEVERABILITY.** If any provision of this ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this ordinance that can be implemented without the invalid provisions. To this end, the provisions of this ordinance are severable.

DRAFT

# **EXHIBIT B**

**Initial Draft Proposed Ordinance, Dated  
May 2024**

**ORDINANCE NO. \_\_\_\_\_**

A proposed ordinance amending Sections 12.21, 12.24, 12.32, 13.08, 13.17, 16.03, 16.05, 17.01, 17.02, 17.03, 17.05, 17.06, 17.51, 17.53 and 18.12 of Chapter 1, and the Table of Contents, Sections 13A.2.1., 13A.2.2., 13A.2.4., 13A.2.7., 13A.2.9., 13A.2.10., 13B.1.4., 13B.2.1., 13B.2.2., 13B.2.3., 13B.2.4., 13B.2.5., 13B.4.1., 13B.4.2., 13B.4.3., 13B.4.4., 13B.4.5., 13B.5.1., 13B.5.2., 13B.5.3., 13B.5.4., 13B.5.5., 13B.7.2., 13B.7.3., 13B.7.5., 13B.7.6., 13B.7.7., 13B.7.8., 13B.8.4, 13B.8.5., 13B.8.6., 13B.8.7., 13B.10.3., 13B.10.4., and 13B.11.1. of Article 13 of Chapter 1A of the Los Angeles Municipal Code to make technical corrections and clarifications as part of regular maintenance of the Zoning Code.

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

**Section 1.** Subdivision 10 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

10. **Alcoholic Beverages.** Notwithstanding any other provisions of this Chapter to the contrary, no building, structure or land shall be used for sale or dispensing for consideration of any alcoholic beverage, including beer and wine, for consumption on the premises except upon premises approved for that use in accordance with the provisions of Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code, or if the establishment complies with all the requirements and standards under Sections 12.22 A.34 (Restaurant Beverage Program) or 12.22 A.35 (Restaurant Beverage Program - Alcohol Sensitive Use Zone). The provisions of this subdivision shall not abrogate, however, any right to the continued use of premises for these purposes pursuant to Sec. 13B.2.2.A.3. (Class 2 Conditional Use Permit; Applicability; Existing Uses) of Chapter 1A of this Code. ~~Certain restaurants may be excepted from the provisions of this Subdivision and Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code. pursuant to authority of the Zoning Administrator contained in Section 12.24 X.2. of this Chapter.~~

**Section 2.** The title of Subdivision 14 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**10. Alcoholic Beverages (Off-Site).**

**Section 3.** Sub-subparagraph (i) of Subparagraph (2) of Paragraph (e) of Subdivision 24 of Subsection A. of Section 12.21 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

(i) Relief from the Outdoor Dining Area enclosure standard in LAMC Section 12.21 A.24.(d)(l)(i) may be requested through the approval of plans on the original discretionary entitlement pursuant to LAMC Section ~~12.24 M. 13B.2.2.H. (Class 2 Conditional Use Permit; Modification Procedures)~~. If there is no original discretionary entitlement, relief may be requested through a Conditional Use Permit pursuant to LAMC Section 12.24 W.32.

**Section 4.** Paragraph (e) of Subdivision 19 of Subsection U. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**19. In the OS Open Space Zone:**

- (a) Recreation centers, senior citizen centers, community centers, clubhouses, community rooms, playgrounds, beaches, swimming pools, libraries, tennis courts, game courts, rest rooms, gyms and camping facilities.
- (b) Golf courses.
- (c) Museums.
- (d) Appurtenant structures adjacent to reservoir use, such as water treatment facilities, pumping facilities, distribution facilities and water filtration plants.
- (e) Nature preserves, subject to the approval of a detailed site plan and management program approved by the operating agency and by the City Planning Commission pursuant to

the procedure set forth in Subsection H. (Modification ~~of Entitlement—Procedures~~) of Sec. 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code

- (f) Aquaria, observatories, planetaria and zoos.
- (g) High voltage transmission lines (including towers).
- (h) Any use set forth in Section 12.04.05 B.1. when located on land which:
  - (1) includes a lake, river or stream; or
  - (2) is designated as an historic or cultural landmark.
- (i) Change of use from any of the uses listed above to any use described in Section 12.04.05 B.1.

**Section 5.** Paragraph (d) of Subdivision 1 of Subsection W. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- (d) Existing Uses.** The use of a lot for an establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for on-site or off-site consumption may not be continued or re-established without conditional use approval granted in accordance with the provisions of this Section if, after September 13, 1997, there is a substantial change in the mode or character of operation of the establishment, including any expansion by more than 20 percent of the floor area, seating or occupancy, whichever applies; except that construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any expansion of less than 20 percent of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to Subsection H. (Modification~~of Entitlement Procedures~~) of Sec. 13B.2.2. (Class 2 Conditional Use Permit) of Chapter 1A of this Code.



**Section 6.** Subdivision 2 of Subsection X. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code is hereby deleted.

~~2. **Alcoholic Beverages.** A Zoning Administrator may, upon application, permit a restaurant, with seating on the premises for no more than 50 persons, to offer for sale or to dispense for consideration alcoholic beverages, including beer and wine, incidental to meal service.~~

~~(a) **Procedures.** Notwithstanding the provisions of Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of this Code, an application for permission pursuant to this Subdivision shall instead notify the owners and occupants of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the application. If, however, the applicant submits with its application the written approval of owners of all properties abutting, across the street or alley from, or having a common corner with the subject corner, then the matter does not have to be set for public hearing.~~

~~(b) **Supplemental Findings.** In addition to the findings set forth in Sec. 13B.2.1. (Class 1 Conditional Use Permit) of Chapter 1A of this Code, the Zoning Administrator shall also find:~~

~~(1) that the restaurant contains a kitchen as defined in Section 12.03 of this Chapter;~~

~~(2) that the primary use of the restaurant premises is for sit-down service to patrons;~~

~~(3) that any take-out service is only incidental to the primary sit-down use;~~

~~(4) that the restaurant is not located within 600 feet of a hospital, church, school (including day care center), public park or playground, or youth facility; and~~

~~(5) that the hours of operation will not adversely affect the surrounding neighborhood.~~

~~(c) **Conditions.** The Zoning Administrator may impose any conditions necessary to assure that the premises continue to operate in a manner consistent with the findings. In addition, any application approved pursuant to this Subdivision shall be subject to the following conditions and restrictions:~~

~~(1) Alcoholic beverages, including beer and wine, may be sold or dispensed for consideration for consumption on the premises only, and only when served at tables or sit-down counters by employees of the restaurant.~~

~~EXCEPTION: However, beer and wine may be sold or dispensed for consideration for consumption beyond the premises in a delicatessen (which is a restaurant having regular take-out service of prepared and unprepared foods), if and only if the sit-down food and beverage service area of the delicatessen occupies in excess of 50 percent of the floor area of the premises (exclusive of the kitchen, restroom, storage and utility areas);~~

~~(2) Dancing or live entertainment shall not be permitted on the premises;~~

~~(3) A separate cocktail lounge or bar shall not be located on the premises;~~

~~(4) Alcoholic beverages or beer or wine shall not be served in conjunction with the operation of any billiard or pool hall, bowling alley, or adult entertainment business as defined in Section 12.70 of this Chapter; and~~

~~(5) Alcoholic beverages shall not be sold, dispensed, or allowed to be consumed on the premises between the hours of midnight and 6 o'clock a.m.~~

**Section 7.** Subdivision 31 of Subsection X. of Section 12.24 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be reinstated to read as follows:

**31. Petshops (Added by Ord. No. 186,372, Eff.12/10/19.)**

- (a) A Zoning Administrator, upon application, may permit Pet Shops in the CR, C1, and C1.5 Zones; or Pet Shops in the C2, C4, C5, or CM Zones that do not meet the development and operation standards in Section 12.14 A.1(b)(4) of this Code.
- (b) **Procedures.** An application pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28 C.1, 2, and 3 of this Code. A hearing is not required if the applicant submits with the application the written approval of the owners of all properties abutting across the street or alley from, or having a common corner with the subject property.

**Section 8.** Subdivision 1 of Subsection H. of Section 12.32 of Article 2. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- 1. Application. A request for an amendment of Council's instructions involving the T Classification or a clarification of a Q Classification or D Limitation set forth in an ordinance ~~pursuant to Sec. 13B.1.4. (Zone Change) of Chapter 1A of this Code as adopted by a Zone Change~~ may be filed by one or more of the owners or lessees of the subject property with the Department on a form accompanied by information required by the Department and by a fee as provided in Section 19.01.

**Section 9.** Subdivision 3 of Subsection D. of Section 13.08 of Article 3. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- 3. **Procedures.** See Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment (Policy Action) of Chapter 1A.

**Section 10.** Subdivision 3 of Subsection H. of Section 13.17 of Article 3 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- 3. **Procedures.** See Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment (Policy Action) of Chapter 1A of this Code.

**Section 11.** Subsection B. of Section 16.03 of Article 6 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**B. Conditional Uses and Public Benefits.** The following conditional uses and public benefits are considered to be of such importance and their expeditious replacement is of such value to the health and safety of the community that they are hereby granted an exemption from the plan approval process required by Subsection H. (~~Modification of Entitlement Procedures~~) of Sec. 13B.2.2. (Class 2 Conditional Use Permit) and 13B.3.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code, provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height. (Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)

**Conditional Uses and Public Benefits**

Airports or aircraft landing fields  
Correctional or penal institutions  
Educational institutions  
Libraries, museums, fire or police stations or governmental enterprises  
Piers, jetties, human-made islands, floating installations  
Public utilities and public service uses and structures  
Schools, elementary and high  
Electric power generating sites, plants or stations  
OS Open Space Zone uses  
Child care facilities or nursery schools  
Churches or houses of worship  
Hospitals or sanitariums

If issues of interpretation or administration relating to the above exemptions arise, the Director is authorized to resolve those issues in light of the scope and purposes of this subsection. (Amended by Ord. No. 173,492, Eff. 10/10/00.)

**Section 12.** Subdivision 3 of Subsection D. of Section 16.05 of Article 6.1. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. Any development project located within the boundaries of an adopted Redevelopment Project Area with an Unexpired Redevelopment Plan, as defined in Section 11.5.14, shall be exempt from ~~site-plan-review~~ Project Review when:

**Section 13.** Subdivision 1 of Subsection A. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

1. No person shall subdivide land in the City of Los Angeles into five or more parcels unless a Final Map has been recorded as provided in this Article and pursuant to Div. ~~13B.8.7.~~ (Division of Land) of Chapter 1A of this Code.

**Section 14.** Subdivision 2 of Subsection A. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

2. No building or structure shall be constructed or enlarged on any land which has been subdivided in violation of the provisions of this Article and Div. ~~13B.8.7.~~ (Division of Land) of Chapter 1A of this Code, nor shall any permit be issued therefor.

**Section 15.** Subdivision 3. of Subsection A. of Section 17.01 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

3. The provisions of this Article shall not be construed as preventing the recording of a final tract map containing less than five lots or creating fewer than five condominium units in accordance with the procedures outlined in Div. ~~13B.8.7.~~ (Division of Land) of Chapter 1A of this Code and in the Subdivision Map Act.

**Section 16.** Subsection B. of Section 17.01 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**B. Purpose.** The purpose of this Article is to regulate and control the division of land, within the City of Los Angeles, to provide for the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities to serve the future inhabitants of the subdivision, to supplement the provisions of the Subdivision Map Act concerning the design, improvement and survey data of subdivisions, the form and content of Tentative Maps and Final Maps. The establish procedure to be followed in securing the official approval of the City of Los Angeles on such maps must be done pursuant to Div. ~~13B.8.7.~~ (Division of Land) of Chapter 1A of this Code, in a manner that is consistent with the applicable general and specific plans as well as the public health, safety and welfare.

It is also the intention of this Article that the subdividing of land in the City of Los Angeles be done in accordance with the grading regulations of the

City contained and set forth in Article 1 (Building Code) of Chapter 9 (Building Regulations) of this Code and to establish when possible beauty and attractiveness in the hills consistent with watershed drainage, erosion and fire control requirements, and good engineering practices.

**Section 17.** Subsection C. of Section 17.01 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**C. Interpretation.** This Article and Div. 13B.~~8-7~~ (Division of Land) of Chapter 1A of this Code shall not be interpreted or construed to invalidate any previous act on the part of the City approving or authorizing private streets, or authorizing the issuance of building permits for structures on lots served by private streets.

**Section 18.** The definition of Protected Tree in Subsection A. of Section 17.02 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**Protected Tree or Shrub** – Any of the following Southern California ~~native indigenous~~ tree species, which measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree; or any of the following Southern California indigenous shrub species, which measure four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the shrub:

Protected Trees:

- (a) Oak tree including Valley Oak (*Quercus lobata*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to Southern California but excluding the Scrub Oak (*Quercus*~~*dumosa berberidifolia*~~).
- (b) Southern California Black Walnut (*Juglans californica*~~*var. californica*~~).
- (c) Western Sycamore (*Platanus racemosa*).
- (d) California Bay (*Umbellularia californica*).

Protected Shrubs:

- (a) Mexican Elderberry (*Sambucus mexicana*)
- (b) Toyon (*Heteromeles arbutifolia*)

~~This~~The definition shall not include any tree or shrub grown or held for sale by a licensed nursery, or trees planted or grown as a part of a tree planting program.

**Section 19.** The definition of Tree Expert in Subsection A. of Section 17.02 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**Tree Expert** – A person with at least four years of experience in the business of transplanting, moving, caring for and maintaining trees and who is one or more of the following: (a) a certified arborist with the International Society of Arboriculture and who holds a valid California license as an agricultural pest control advisor; or (b) a certified arborist with the International Society of Arboriculture and who is a licensed a landscape architect or (c) a registered consulting arborist with the American Society of Consulting Arborists.

**Section 20.** Subsection A. of Section 17.03 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**A. Authority and Duties.** See Sec. 13B.7.1.C. (General Provisions; Advisory Agency) of Chapter 1A of this Code.

When the Advisory Agency approves or conditionally approves a tentative map, it may also designate certain lots or proposed buildings, whether existing or to be constructed on a lot shown on said map, as sites for the construction of model dwellings. The Advisory Agency is authorized to designate said sites only if it determines that they comply, or can be made to comply with the design standards for sites for model dwellings as hereinafter set forth in Section 17.05 of this article.

In addition to the authorities established in Div. 13B.7. (Division of Land) of Chapter 1A of this Code, the Advisory Agency, acting in the capacity of the ~~Associate Zoning Administrator~~ Director, shall also have the authority to reduce the width of required passageways pursuant to Section 12.21 C.2.(b) (Spaces Between Buildings – Passageways) of this Chapter to no less than five feet between habitable buildings and detached condominiums, unless the Fire Department determines that the reduction would result in a safety hazard. And shall have the authority to grant deviations of no more than 20 percent from the applicable area, yard, and height requirements. The subdivider must ask for adjustments at the time of filing. In permitting adjustments, the Advisory Agency shall make the findings contained in Sec. 13B.5.2. (Adjustment) of Chapter 1A of this Code.



The reductions / deviations shall be included in the written decision of the Advisory Agency. Notification and appeal rights to such reductions / deviations shall conform to Sec. 13B.7.2. (Tentative Tract Map) of Chapter 1A of this Code.

**Section 21.** Subsection B. of Section 17.05 of Article 7 of Chapter 1 of the Los Angeles Municipal Code is amended to read as follows:

- B. Adoption of Standards. A public hearing shall be conducted by the Commission prior to the approval of any change in the standards, pursuant to the procedures in Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment(Policy Action) of Chapter 1A of this Code.

**Section 22.** Subdivision 7 of Subsection H of Section 17.05 of Article 7 of the Los Angeles Municipal Code is amended to read as follows:

7. Where the Advisory Agency finds the project is consistent with the dwelling unit density permitted by the General Plan, and that the public health, safety or welfare and good subdivision design will be promoted by the preservation of protected trees and shrubs, the Advisory Agency may permit the required area of one or more of the lots in a subdivision in an “RA”, “RE”, “RS” or “R1” Zone to be reduced by an amount sufficient to provide for protected tree and shrub preservation in accordance with Subsection P. (Protected Tree Regulations) of this Section 17.05 R. of this Code. Provided, HHowever, ~~that~~ in no event shall the reduction exceed 50 percent of the required lot area; no “RA” or “RE” lot shall be reduced below 50 feet in width; no “RS” or “R1” lot shall be reduced below 40 feet in width; and no lot in a designated “K” Horsekeeping District shall be reduced below 17,500 square feet.

**Section 23.** Subsection R. of Section 17.05 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- R. Protected Tree or Shrub Regulations.** No protected tree or shrub may be relocated or removed except as provided in this Article or Article 6 of Chapter IV (Preservation of Protected Trees) of Chapter 4 (Public Welfare) of this Code. The term “removed” or “removal” shall include any act that will cause a protected tree or shrub to die, including but not limited to acts that inflict damage upon the root system or other parts of the tree or shrub by fire, application of toxic substances, operation of equipment or



machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.

1. **Required Determinations.** Subject to historical preservation requirements set forth in Subdivision 3. of this Subsection, when a protected tree or shrub exists within a proposed subdivision, the tree or shrub may be relocated or removed if the Advisory Agency, in consultation with the City's Chief Forester, determines the existence of either (a) or (b) below:

(a) There has been prior applicable government action in which:

- (i) The removal of the tree or shrub had been approved by the Advisory Agency; or
- (ii) The property upon which the protected tree or shrub is located has been the subject of a determination by the City Planning Commission, the City Council, a Zoning Administrator, or an Area Planning Commission, the appeal period established by this Code with respect to the determination has expired, the determination is still in effect, and pursuant to the determination, the protected tree's or shrub's removal would be permissible; or
- (iii) A building permit has been issued for the property upon which the protected tree or shrub is located, the permit is still in effect, and the removal or relocation is not prohibited by the permit.

(b) The removal of the protected tree or shrub would not result in an undesirable, irreversible soil erosion through diversion or increased flow of surface waters that cannot be mitigated to the satisfaction of the City's Chief Forester, and the physical condition or location of the tree or shrub is such that:

- (i) Its continued presence in its existing location prevents the reasonable development of the property; or

- (ii) According to a report required pursuant to Section 17.06 C. (~~Protected Tree Report for Tentative Tract Maps~~), acceptable to the Advisory Agency and prepared by a ~~t~~Tree ~~e~~Expert, there is a substantial decline from a condition of normal health and vigor of the tree or shrub, and its restoration through appropriate and economically reasonable preservation procedures and practices is not advisable; or
  - (iii) It is in danger of falling due to an existing and irreversible condition.
  - (iv) Its continued presence at its existing location interferes with proposed utility services or roadways within or without the subject property, and the only reasonable alternative to the interference is the removal of the tree or shrub; or
  - (v) It has no apparent aesthetic value, which will contribute to the appearance and design of the proposed subdivision; or it is not located with reference to other trees, shrubs or monuments in such a way as to acquire a distinctive significance at the location.
2. **Supplemental Authority.** In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above, that a protected tree or shrub may be removed or relocated, the Advisory Agency may:
- (a) Require relocation elsewhere on the same property where a protected tree or shrub has been approved for removal, and where the relocation is economically reasonable and favorable to the survival of the tree or shrub. Relocation to a site other than upon the same property may be permitted where there is no available or appropriate location on the property and the owner of the proposed off-site relocation site consents to the placement of a tree or shrub. In the event of relocation, the Advisory Agency may designate

measures to be taken to mitigate adverse effects on the tree or shrub.

- (b) Permit protected trees or shrubs of a lesser size, or trees or shrubs of a different species, to be planted as replacement trees or shrubs for protected trees or shrubs permitted by this Code to be removed or relocated, if replacement trees or shrubs required pursuant to this Code are not available. In that event, the Advisory Agency may require a greater number of replacement trees or shrubs.

3. **Historical Monuments.** The Advisory Agency, except as to Subdivision 1(b)(iii) above, shall require retention of a protected tree or shrub at its existing location, if the tree or shrub is officially designated as an Historical Monument or as part of an Historic Preservation Overlay Zone.

4. **Requirements.** In the event the Advisory Agency, in consultation with the City's Chief Forester, determines pursuant to Subdivision 1(b) above that a protected tree or shrub may be removed or relocated, the Advisory Agency shall require that:

- (a) The protected tree or shrub is replaced within the property by at least two trees of a protected variety included within the definition set forth in Section 17.02 (Definitions) of this Article, except where the protected tree is relocated pursuant to Subdivision 2.(a) above. The size of each replacement tree shall be a 15-gallon, or larger, specimen, measuring one inch or more in diameter at a point one foot above the base, and not less than seven feet in height, measured from the base. The size and number of replacement trees shall approximate the value of the tree to be replaced.
- (b) The subdivider record those covenants and agreements approved by the Advisory Agency necessary to assure compliance with conditions imposed by the Advisory Agency and to assure protected tree and shrub preservation.
- (c) The subdivider provide protected tree and shrub maintenance information to purchasers of lots within the proposed subdivision.

(d) The subdivider post a bond or other assurance acceptable to the City Engineer to guarantee the survival of trees and shrubs required to be replaced or permitted or required to be relocated, in a manner to assure the existence of continuously living trees and shrubs at the approved replacement or relocation site for three years from the date that the trees or shrubs are replaced or relocated. The City Engineer shall use the provisions of Section 17.08 G. ~~(Improvements; Guarantees) of this Article~~ as its procedural guide in satisfaction of the bond requirements and processing. Any bond required shall be in a sum estimated by the City Engineer to be equal to the dollar value of the replacement tree or shrub or of the tree or shrub that is to be relocated. In determining value for these purposes, the City Engineer shall consult with the Advisory Agency, the City's Chief Forester, the evaluation of trees guidelines approved and adopted for professional plantersman by the International Society of Arboriculture, the American Society of Consulting Arborists, the National Arborists Association and the American Association of Nurserymen, and other available, local information or guidelines.

5. **Grading.** The Advisory Agency is authorized to prohibit grading or other construction activity within the drip line of a protected tree or shrub.

**Section 24.** Subdivision 13 of Subsection B. of Section 17.06 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

13. The approximate location and general description of any large or historically significant trees or shrubs and of any protected trees or shrubs and indication as to the proposed retention or destruction of the trees or shrubs.

**Section 25.** Subsection C. of Section 17.06 of Article 7 of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

C. **Protected Tree and Shrub Reports for Tentative Tract Maps.** No application for a tentative tract map approval for a subdivision where a protected tree or shrub is located shall be considered complete unless it includes a report, in a form acceptable to the Advisory Agency and the City's Chief Forester, which pertains to preserving the tree and shrub and

evaluates the subdivider's proposals for the preservation, removal, replacement or relocation of the tree or shrub. The report shall be prepared by a tree expert and shall include all protected trees and shrubs identified pursuant to ~~Subdivision 13. of Subsection B. (Map Requirements) of this~~ Section 17.06 B.13 of this Code. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of a protected tree or shrub referred to in the report, or proposes to relocate or remove any protected tree or shrub, the report shall also evaluate any mitigation measures proposed by the subdivider and their anticipated effectiveness in preserving the tree or shrub.

**Section 26.** Subsection D. of Section 17.51 of Article 7 of Chapter 1 of the Los Angeles Municipal code shall be amended to read as follows:

- D. **Protected Tree or Shrub Reports for Parcel Maps.** No application for a preliminary parcel map approval for a parcel where a protected tree or shrub is located shall be considered complete unless it includes a report pertaining to preserving the tree or shrub. The report shall be prepared by a ~~T~~ree ~~E~~xpert and shall evaluate the subdivider's proposals for protected tree or shrub preservation, removal, replacement and/or relocation. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of any protected tree or shrub referred to in the report, or proposes to relocate or remove any tree or shrub, the report shall also evaluate any mitigation measures proposed by the subdivider and the anticipated effectiveness in preserving the tree or shrub.

**Section 27.** Subsection J. of Section 17.53 of Article 7. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

- J. **Further Authority.** The Advisory Agency, acting in the capacity of the ~~Associate Zoning Administrator~~ Director, shall have the authority to reduce the width of required passageways pursuant to Section 12.21 C.2.(b) (Spaces Between Buildings – Passageways) of this Chapter to no less than five feet between habitable buildings and detached condominiums, unless the Fire Department determines that the reduction would result in a safety hazard. And shall have the authority to grant deviations of no more than 20 percent from the applicable area, yard, and height requirements. The subdivider must ask for adjustment(s) at the time of filing. In permitting adjustments, the Advisory Agency shall make the findings contained in Section 12.28 C.4.

The reductions / deviations shall be included in the written decision of the Advisory Agency. Notification and appeal rights to such reductions / deviations shall conform to Section 17.54 A.

**Section 28.** Section 18.12 of Article 8. of Chapter 1 of the Los Angeles Municipal Code shall be amended to read as follows:

**SEC. 18.12. MODIFICATIONS.**

(Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)

See Sec. 13B.7.7. H. (Private Street Map; Modification ~~of Entitlement~~ Procedures) of Chapter 1A of this Code.

**Section 29.** Section 13B.7.8. Subdivision Appeal within Division 13B.7. of Part B. of the Table of Contents of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:

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**Section 30.** Paragraph 3. of Subsection A. (General) of Section 1. (Applicability) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

3. Projects shall not be subject to the provisions of this ordinance if a complete application for an entitlement was filed and fees were paid prior to the date on which this ordinance becomes operative. Any such project

shall be subject to the administrative regulations in Chapter 1 of the Los Angeles Municipal Code that were in effect on the date on which the application was filed. Projects for which a complete application for an entitlement has been filed and for which fees were paid prior to this ordinance's operative date may opt to proceed under the provisions of this ordinance if a required public hearing has not yet been held for the project. ~~Notwithstanding~~ Despite the forgoing, any appeal filed on or after the operative date of this ordinance shall be subject to the appellate standard of review established in this ordinance.

**Section 31.** Section 13A.2.2.A Process Elements within Table-2 Process Summary of Subsection A. (Overview) of Section 2. (Process Elements) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:

Table 2 - Process Summary

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Legislative Action													
General Plan Adoption / Amendment		R+						[R]+	[D]+	R/SV+			
Specific Plan Adoption / Amendment		R						[R]+	[D]+	SV+			
Zoning Code Amendment		R						[R]+	D+	SV+			
Zone Change		R					[R]	[R]*	[D]+	SV+			
Guidelines or Standards Adoption / Amendment		R						[D]					
Land for Public Use								R	D				
Quasi-Judicial Review													
Class 1 Conditional Use Permit			<D>				[A]						
Class 2 Conditional Use Permit			[D]+				[A]+						
Class 3 Conditional Use Permit		[R] +						[D]+	[A]				
Project Review		<D>					[A]						
Director Determination		D					[A]	[A]					
Ministerial Action													
Administrative Review		D											
Specific Plan Implementation													
Project Compliance		<D>					[A]						
Project Compliance (Design Review Board)		D					[A]				[R]		
Project Adjustment		<D>					[A]						
Project Exception							[D]		[A]				
Specific Plan Interpretation		<D>					[A]	[A]					
Quasi-Judicial Relief													
Alternative Compliance		D					[A]						
Adjustment		<D>					[A]						

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Variance			[D]†				[A]†		[A]				
Modification of Entitlement	↔			↔			↔						
Reasonable Accommodation		D							[A]				
Non-Compliance													
Evaluation of Non-Compliance			[D]				[A]	[D]	[A]				
Nuisance Abatement/Revocation			[D]						[A] †				
Division of Land													
Parcel Map Exemption/ Lot Line Adjustment		D					[A]	[A]					
Tentative Tract Map		[D]		R			[A]	[A]					
Final Tract Map					C				D				
Preliminary Parcel Map		[D]		R			[A]	[A]					
Final Parcel Map					C				D				
Private Street Map		<D>		R			[A]	[A]					
Subdivision Appeal							{D}	{D}					
Historic Preservation													
Historic Preservation Overlay Zone Designation								[R]	[D]				C
Preservation Plan Adoption / Amendment		R				[R] ‡		[D]					[R]
Review of Conforming Work	D											D	
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)		D					[A]					[R]	
Certificate of Appropriateness (Demolition, Removal, or Relocation)							D		[A]			[R]	
Certificate of Compatibility for Non-Contributing Elements		D					[A]					[R]	

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Coastal Development													
Coastal Development Permit (Pre-Certification)	↔						↔			↔			
Coastal Development Permit (Post-Certification)		<D>			<D>		[A]						
Department of Building and Safety													
Appeals from LADBS Determination		<D>					[A]	[A]					
California Environmental Quality Act (CEQA) Provisions													
CEQA Appeal									D				

**Key**

C Certification

R Review &amp; Recommendation

D Decision or Acceptance

SV Signature / Veto

A Appeal

[ ] Public Hearing

‡ Optional or where directed by decision maker

Blank Cell Not required

† Required by City Charter

*Italics* Action only under certain conditions (such as project size, type, or transfer from another agency, etc.)

↔ Varies with underlying process

\* If filed by application and CPC recommends disapproval, its decision is appealable to CC.

&lt; &gt; Public Hearing optional or waivable

*Note: This table is a general summary. Refer to Div. 13B.1. through Div. 13B.11. for the specific procedure. If there is any conflict between this table and the text in Div. 13B.1. through Div. 13B.11. relating to the procedure, the text in the applicable Division prevails.*

**Section 32.** Table-4 Summary of Notice Requirements of Subsection F. (Notice Requirements of Each Process) of Section 4. (Notice of Public Hearing) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

Table 4 Summary of Notice Requirements

Action	Reference	Publication	Mail	Posting
Legislative Action	Div. 13B.1.			
General Plan Adoption / Amendment	Sec. 13B.1.1.	■	■	●
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■	●	●
Zoning Code Amendment	Sec. 13B.1.3.	■		
Zone Change	Sec. 13B.1.4.	■	●	●
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■		
Land for Public Use	Sec. 13B.1.6.			
Quasi-Judicial review	Div. 13B.2.			
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■	■
Class 2 Conditional Use Permit	Sec. 13B.2.2.	■	■	■
Class 3 Conditional Use Permit	Sec. 13B.2.3.	■	■	■
Project Review	Sec. 13B.2.4.		■	■
Director Determination	Sec. 13B.2.5.		○	○
Ministerial Action	Div. 13B.3.			
Administrative Review	Sec. 13B.3.1.			
Specific Plan Implementation	Div. 13B.4.			
Project Compliance	Sec. 13B.4.2.		○	
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■	■
Project Adjustment	Sec. 13B.4.4.		○	
Project Exception	Sec. 13B.4.5.	■	■	■
Specific Plan Interpretation	Sec. 13B.4.6.		○	
Quasi-Judicial Relief	Div. 13B.5.			
Alternative Compliance	Sec. 13B.5.1.		○	
Adjustment	Sec. 13B.5.2.		■	■
Variance	Sec. 13B.5.3.		■	■
Modification of Entitlement	Sec. 13B.5.4.		❖	❖
Reasonable Accommodation	Sec. 13B.5.5.	↻	○	↻
Non-Compliance	Div. 13B.6.			
Evaluation of Non-Compliance	Sec. 13B.6.1.		■	■
Nuisance Abatement/Revocation	Sec. 13B.6.2.		■	■
Division of Land	Div. 13B.7.			
Parcel Map Exemption/Lot Line Adjustment	Sec. 13B.7.2.			
Tentative Tract Map	Sec. 13B.7.3.	■	■	■
Final Tract Map	Sec. 13B.7.4.			
Preliminary Parcel Map	Sec. 13B.7.5.	■	■	■

Action	Reference	Publication	Mail	Posting
Final Parcel Map	Sec. 13B.7.6.			
Private Street Map	Sec. 13B.7.7.	■	■	■
<del>Subdivision Appeal</del>	<del>Sec. 13B.7.8.</del>		<del>■</del>	
Historic Preservation	Div. 13B.8.			
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	■	■	●
Preservation Plan Adoption or Amendment	Sec. 13B.8.3.		■	
Review of Conforming Work	Sec. 13B.8.4.			
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■	■
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■	■
Certificate of Compatibility	Sec. 13B.8.7.		■	■
Coastal Development	Div. 13B.9.			
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1		■	⚡
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2		■	⚡
Department of Building and Safety	Div. 13B.10			
Appeals from LADBS Determinations	Sec. 13B.10.2		■	
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11			
CEQA Appeal	Sec. 13B.11.1		■	

Key: ■ = initial decision ● site specific only (not City-initiated) ○ = appeal only ⚡ = varies with underlying application

**Section 33.** Subsection E. (Planning and Zoning Matters in Litigation) of Section 7. (Scope of Decision) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- E. The time limits set forth in Subsections A. (Discretionary Project Approvals Time Limits) and B. (Effectuation of Approvals) of this Section shall not include any time period during which the approval or the environmental clearance for the approval is challenged in court. ~~Notwithstanding~~ Despite any contrary language in the Zoning Code, this Chapter and Chapter 1 (General Provisions and Zoning) of this Code, the time limits in Subsections A and B of this Section shall be tolled until litigation is concluded.

**Section 34.** Subsection A. (Void Permits) of Section 9. (Permits Issued in Error) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- A. ~~Notwithstanding~~ Despite any other provisions of this Code or any other ordinance of the City, no permit or license shall be issued in violation of any provisions of this Code or any other ordinance of the City. Any permit or license issued in violation of any provision of this Code or any other ordinance of the City is void. Any permit or license that purports to authorize any act prohibited by any other provision of this Code or any other ordinance of the City is void.

**Section 35.** Section 13A.2.8. Subdivision Appeal within Table-5 Classification of Actions for Multiple Approvals of Paragraph 2. of Subsection A. (Applicability) of Section 10. (Multiple Approvals) of Division 13A.2. (General Procedural Elements) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be deleted as follows:



Table 5 - Classification of Actions for Multiple Approvals

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
<b>Legislative Action</b>	<b>Div. 13B.1.</b>				
General Plan Adoption / Amendment	Sec. 13B.1.1.	■			
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■			
Zoning Code Amendment	Sec. 13B.1.3.	■			
Zone Change	Sec. 13B.1.4.	■			
Guidelines or Standards Adoption/Amendment	Sec. 13B.1.5.	■			
Land for Public Use	Sec. 13B.1.6.	■			
<b>Quasi-Judicial Review</b>	<b>Div. 13B.2.</b>				
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■		
Class 2 Conditional Use Permit	Sec. 13B.2.2.		■		
Class 3 Conditional Use Permit	Sec. 13B.2.3.		■		
Project Review	Sec. 13B.2.4.		■		
Director Determination	Sec. 13B.2.5.		■		
<b>Ministerial Action</b>	<b>Div. 13B.3.</b>				
Administrative Review	Sec. 13B.3.1.				—
<b>Specific Plan Implementation</b>	<b>Div. 13B.4.</b>				
Project Compliance	Sec. 13B.4.2.		■		
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■		
Project Adjustment	Sec. 13B.4.4.		■		
Project Exception	Sec. 13B.4.5.		■		
Specific Plan Interpretation	Sec. 13B.4.6.		—		
<b>Quasi-Judicial Relief</b>	<b>Div. 13B.5.</b>				
Alternative Compliance	Sec. 13B.5.1.		■		
Adjustment	Sec. 13B.5.2.		■		
Variance	Sec. 13B.5.3.		■		
Modification of Entitlement	Sec. 13B.5.4.		■		
Reasonable Accommodation	Sec. 13B.5.5.		—		
<b>Non-Compliance</b>	<b>Div. 13B.6.</b>				
Evaluation of Non-Compliance	Sec. 13B.6.1.		—		
Nuisance Abatement/Revocation	Sec. 13B.6.2.		—		
<b>Division of Land</b>	<b>Div. 13B.7.</b>				
Parcel Map Exemption/Lot Line Adjustment	Sec. 13B.7.2.			—	
Tentative Tract Map	Sec. 13B.7.3.			■	
Final Tract Map	Sec. 13B.7.4.			—	

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
Preliminary Parcel Map	Sec. 13B.7.5.			■	
Final Parcel Map	Sec. 13B.7.6.			—	
Private Street Map	Sec. 13B.7.7.			■	
<del>Subdivision Appeal</del>	<del>Sec. 13B.7.8.</del>			<del>—</del>	
Historic Preservation	Div. 13B.8.				
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	—			
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.	■			
Review of Conforming Work	Sec. 13B.8.4.				—
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■		
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■		
Certificate of Compatibility	Sec. 13B.8.7.		■		
Coastal Development	Div. 13B.9.				
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1		■		
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2		■		
Department of Building and Safety	Div. 13B.10				
Appeals from LADBS Determinations	Sec. 13B.10.2		—		
Annual Inspection Monitoring (Recycling)	Sec. 13B.10.3		—		
Annual Inspection Monitoring (Automotive)	Sec. 13B.10.4		—		
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.				
CEQA Appeal	Sec. 13B.11.1.		—		

Key: ■ = qualifies for multiple approval — = does not qualify for multiple approval

**Section 36.** Paragraph 5. of Subsection A. (Applicability) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

5. ~~Notwithstanding Despite~~ the foregoing, the City Planning Commission, rather than the Area Planning Commission, shall have the authority to make recommendations on any application for or initiation of a proposed Zone Change when it is being considered in conjunction with an initiated General Plan Amendment.

**Section 37.** Subparagraph c. of Paragraph 3. (Establishment of Supplemental Use Districts or Overlays) of Subsection B. (Initiation) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- c. A Community Plan Implementation ~~Ordinance~~ Overlay (CPIO) District may not be established through the application procedure.

**Section 38.** Paragraph 4. (Conditional Approval or Denial) of Subsection I. (Vesting Zone Change) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- 4. ~~Notwithstanding Despite~~ the provisions of Subsection ~~H.2.a.1.2.a~~ (Vesting Zone Change; Development Rights) of this Section, a Vesting Zone Change may be:

**Section 39.** Subparagraph a. of Paragraph 6. (Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply with Subsequent Regulation Changes) of Subsection I. (Vesting Zone Change) of Section 4. (Zone Change) of Division 13B.1. (Legislative Actions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Any owner or lessee of the subject property subject to an approved Vesting Zone Change may file a verified application requesting an amendment of the City regulations described in Subsection ~~H.2.a.1.2.a~~ (Vesting Zone Change; Development Rights) of this Section vested by a Zone Change issued pursuant to this Section.

**Section 40.** The title of Subsection H. (Modification of Entitlement) of Section 1. (Class 1 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 41.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Class 2 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 42.** Subparagraph c. of Paragraph 2 (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 3. (Class 3 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Review) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- c. If the mailed notice within the required radius does not result in notice ~~that~~ to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

**Section 43.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Class 3 Conditional Use Permit) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 44.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Project Review) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 45.** Subparagraph b. of Paragraph 5. (Exception) of Subsection G. (Appeals) of Section 5. (Director Determination) of Division 13B.2. (Processes & Procedures) of Part A. (General Administration Provisions) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. When the application is filed in conjunction with a Parcel Map and no other approval, the appeals procedures set forth in Sec. ~~13B.7.8. (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals) of this Code shall govern.

**Section 46.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Director Determination) of Division 13B.2. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 47.** Paragraph 2. of Subsection C. (Decision Makers and Appellate Bodies for Other Specific Plan Provisions) of Section 1. (General Provisions) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

2. Despite any specific plan provision to the contrary and ~~notwithstanding~~ despite the language in 13B.4.1.B. above, there is only one level of appeal from any initial decision.

**Section 48.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Project Compliance) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 49.** Subparagraph b. of Paragraph 3. (Relationship to Specific Plans) Subsection A. (Applicability) of Section 3. (Project Compliance (Design Review)) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. Despite any provisions of a specific plan to the contrary and ~~notwithstanding~~ despite the language in 13B.4.1.B. above, no design review required by a specific plan shall be recommended for approval by a design review board or approved by the Director except as provided in this Section.

**Section 50.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Project Adjustment) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 51.** Subparagraph d. of Paragraph 4. (Decision) of Subsection D. (Decision) of Section 5. (Project Exception) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- d. If the ~~City Planning Commission~~ Area Planning Commission fails to make a timely decision, the applicant may file a request for transfer

of jurisdiction to the City Council pursuant to Sec. 13A.2.6 (*Transfer of Jurisdiction*).

**Section 52.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Project Exception) of Division 13B.4. (Specific Plan Implementation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 53.** The title of Subsection H. (Modification of Entitlement) of Section 1. (Alternative Compliance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

**Section 54.** Subsection H. (Modification of Entitlement) of Section 2. (Adjustment) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification ~~of Entitlement~~ Procedures

The plan approval procedures that apply to Variances in Sec. 13B.5.3.H. (Variance; Modification ~~of Entitlement~~ Procedures) shall also apply to Adjustments.

**Section 55.** Subparagraph b. Of Paragraph 2. (Continuance of Variance or Exception) Subsection A. (Applicability) of Section 3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. ~~Notwithstanding~~ Despite any of the provisions of the ordinance granting a Variance or exception, the Zoning Administrator shall have jurisdiction to perform all administrative acts with which the Board of City Planning Commissioners, City Council or its Planning Committee were formerly charged with under the ordinance, such as approving plans, signs, types of use, and the like. The use of any building, structure or land existing at the time this Article became effective, by virtue of any exception from the provisions of former

ordinance No. 33,761 (N.S.), may be continued provided no new building or structure is erected, no existing building or structure is enlarged, and no existing use of land is extended.

**Section 56.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 57.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Reasonable Accommodation) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### H. Modification of Entitlement Procedures

**Section 58.** The table in Subparagraph a. of Paragraph 2. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 5. (Reasonable Accommodation) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended read as follows:

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> <li>• In a newspaper of general circulation in the city, designated for that purpose by the City Clerk</li> </ul>
Mail	24 days	<ul style="list-style-type: none"> <li>• The applicant;</li> <li>• The appellant;</li> <li>• The owner(s) of the property involved; <u>and</u></li> <li>• Owners of all properties abutting, across the street or alley from or having a common corner with the subject property; <u>and</u></li> <li>• The Certified Neighborhood Council representing the area in which the property is located</li> </ul>
Posting	10 days	<ul style="list-style-type: none"> <li>• The applicant will post notice in a conspicuous place on the property</li> </ul>



**Section 59.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Reasonable Accommodation) of Division 13B.5. (Quasi-Judicial Relief) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## H. Modification of Entitlement Procedures

**Section 60.** A new Paragraph 2. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be added to read as follows:

### **2. Notice of Public Hearing on Appeal**

a. The following notice is required for the public hearing on appeal.

Type of Notice	When	Where/To Whom/Additional Requirements
<u>Mail</u>	<u>As required by state law</u>	<ul style="list-style-type: none"> <li>• <u>Applicant</u></li> <li>• <u>The person claiming to be aggrieved, if any;</u></li> <li>• <u>The Advisory Agency; and</u></li> <li>• <u>The Certified Neighborhood Council representing the area in which the property is located</u></li> </ul>

**Section 61.** Subsection G. (Appeals) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## G. Appeals

### **1. General Procedures**

See Sec. 13A.2.8. (Appeals).

### **2. Subdivision Appeal Decision Maker**

~~The action of the Advisory Agency may be appealed in accordance with Sec. 13B.7.8 (Subdivision Appeals).~~ The Appeal Board is the decision maker.

### **3. Filing**



- a. An application for a Subdivision Appeal is filed with the Department.
- b. Appeals must be filed within a period of 15 days after the date the initial decision was made.
- c. The appeal is not considered filed unless and until the form is properly completed and all required information is submitted.

#### **4. Who May File**

An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Parcel Map Exemption/Lot Line Adjustment, or a certificate or conditional certificate of compliance pursuant to Sec. 66499.35 (Remedies) of the California Government Code may appeal to the Appeal Board for a public hearing.

#### **5. Decision**

- a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.
- b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action of determination.
- c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.
- d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.

- e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.
- f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.
- g. Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.

**Section 62.** The title of Subsection H. (Modification of Entitlement) of Section 2. (Parcel Map Exemption/Lot Line Adjustment) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 63.** Subparagraph a. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Within 36 months after the approval or conditional approval of the Tentative Tract Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a Final Map prepared and filed with the City Engineer consistent with California Government Code Section 66452.6(d), as may be amended from time to time. The failure of a subdivider to file a map with the City Engineer ~~within that period and to have the map submitted by the City Engineer to the City Clerk~~ within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.

**Section 64.** Subparagraph b. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. The time limit for filing the Final Map with the City Engineer ~~and submittal by the City Engineer of the Final Map to the City Council~~ may be extended for a period or periods not exceeding a total of 72 months, unless otherwise prescribed by California Government Code Section 66452.6, as may be amended from time to time.

**Section 65.** Subparagraph a. (Filing) of Paragraph 3. (Appeal Board) of Subsection G. (Appeals) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Filing

Appeals to the Appeal Board shall be filed in duplicate, in a public office of the Department of city Planning on forms provided for that purpose within ~~15~~ 10 days of the mailing or written decision of the Advisory Agency and shall be accompanied by the fee required in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning) of this Code. No appeal shall be considered filed until the form has been properly completed and all information required by it has been submitted. The completed appeal form and file shall then immediately be transmitted to the Appeal board Secretary for public hearing before the Appeal Board.

**Section 66.** The title of Subsection H. (Modification of Entitlement) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification ~~of Entitlement~~Procedures**

**Section 67.** Sub-subparagraph ii. of Subparagraph f. of Paragraph 4. (Development Rights) of Subsection I. (Vesting Tentative Map) of Section 3. (Tentative Tract Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- ii. An application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought. In addition, such application shall conform to the provisions relating to modification of Tentative Maps set for in Subsection H. (Modification ~~of Entitlement Procedures~~) of this Section.

**Section 68.** Subparagraph a. of Paragraph 3. (Notice of Public Hearing on Appeal) of Subsection C. (Notice) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

### 3. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal by the Appeal Board:

Type of Notice	When	Where/To Whom/Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> <li>• <del>Subdivider</del><u>Applicant</u></li> <li>• <del>Appellant</del><u>The person claiming to be aggrieved, if any;</u></li> <li>• <del>The</del> <u>Advisory Agency; and</u></li> <li>• <del>Appeal Board (on Appeal to the City Council);</del> <u>and</u></li> <li>• <u>The Certified Neighborhood Council representing the area in which the property is located</u></li> </ul>

**Section 69.** Subparagraph a. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. Within 36 months after the approval or conditional approval of the Preliminary Parcel Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a Final Map prepared and

filed with the City Engineer consistent with California Government Code Section 66463.5, as may be amended from time to time. The failure of a subdivider to file a map with the City Engineer ~~within that period and to have the map submitted by the City Engineer to the City Clerk~~ within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.

**Section 70.** Subparagraph b. of Paragraph 2. (Time Limit for Final Map Filing) of Subsection F. (Scope of Decision) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- b. The time limit filing the Final Map with the City Engineer~~for the submittal by the City Engineer of the Final Map to the City Council~~ may be extended for a period or periods not exceeding a total of 72 months, unless otherwise prescribed by California Government Code Section 66463.5, as may be amended from time to time.

**Section 71.** Subsection G. (Appeals) of Section 5 (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

## **G. Appeals**

### **1. General Procedures**

See Sec. 13A.2.8. (*Appeals*).

### **2. Subdivision Appeal Decision Maker**

~~The action of the Advisory Agency may be appealed in accordance with Sec. 13B.7.8 (Subdivision Appeals). The Appeal Board is the decision maker.~~

### **3. Filing**

- a. An application for a Subdivision Appeal is filed with the Department.
- b. Appeals must be filed within a period of 15 days after the date the initial decision was made.

- c. The Appeal is not considered filed unless and until the form is properly completed and all required information is submitted.

#### **4. Who May File**

An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Preliminary Parcel may appeal to the Appeal Board for a public hearing.

#### **5. Decision**

- a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.
- b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action of determination.
- c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.
- d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.
- e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.
- f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.

- g.** Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.

**Section 72.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 73.** Paragraph 5. of Subsection H. (Modification of Entitlement) of Section 5. (Preliminary Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

5. The Advisory Agency action on a slight modification request may be appealed in accordance with the provisions of Sec. ~~13B.7.8. (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals)

**Section 74.** Subparagraph a. of Paragraph 2. of Subsection H. (Modification of Recorded Final Parcel Map) of Section 6. (Final Parcel Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. The public notice and hearing shall conform to the provisions of Sec. 13B.7.3. (Tentative Tract Maps). The decision of the Advisory Agency may be appealed in accordance with the applicable provisions of ~~Sec. 13B.7.8 (Subdivision Appeal)~~ 13B.7.5.G. (Preliminary Parcel Map; Appeals) of this Code relating to the appeal of Preliminary Parcel Maps.

**Section 75.** The title of Subsection H. (Modification of Entitlement) of Section 7. (Private Street Map) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 76.** Section 8. (Subdivision Appeal) of Division 13B.7. (Division of Land) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code is hereby deleted:

## ~~SEC. 13B.7.8.~~ **SUBDIVISION APPEAL**

### **A. Applicability**

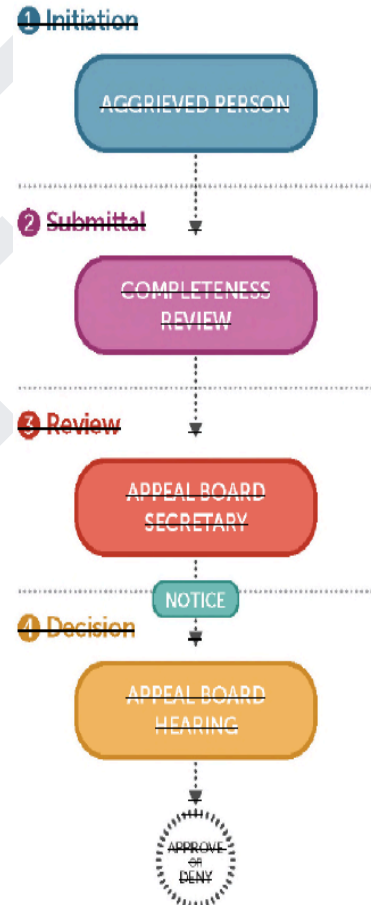
- ~~1. Each Section of this Division either establishes an appeals process, or indicates that an appeal is not available. This Section supplements those Sections. The appeal processes established for an individual procedure supersede this Section to the extent that they are inconsistent.~~
- ~~2. An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Preliminary Parcel Map, certificate or conditional certificate of compliance pursuant to Sec. 66499.35 (Remedies) of the California Government Code or an exemption from the Parcel Map regulations pursuant to Sec. 13B.7.2 (Parcel Map Exemption/Lot Line Adjustment) may appeal to the Appeal Board for a public hearing.~~

### **B. Initiation**

- ~~1. An application for a Subdivision Appeal is filed with the Department.~~
- ~~2. Appeals must be filed within a period of 15 days after the date the initial decision was made.~~
- ~~3. The appeal is not considered filed unless and until the form is properly completed and all required information is submitted.~~

### **C. Notice**

~~Sec. 13B.7.8. Subdivision Appeal~~





### **~~1. Notice of Public Hearing on Appeal~~**

- ~~a. The following notice is required for the public hearing on the appeal to the Appeal Board:~~

<b>Type of Notice</b>	<b>When</b>	<b>Where / to Whom / Additional Requirements</b>
Mail	As required by state law	<ul style="list-style-type: none"> <li><del>• Applicant;</del></li> <li><del>• The person claiming to be aggrieved, if any;</del></li> <li><del>• The Advisory Agency; and</del></li> <li><del>• The Certified Neighborhood Council representing the area in which the property is located</del></li> </ul>

### **~~D. Decision~~**

#### **~~1. General Procedures~~**

~~See Sec. 13A.2.8. (Appeals).~~

#### **~~2. Appellate Decision~~**

- ~~a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.~~
- ~~b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action or determination.~~
- ~~c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.~~

- ~~d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.~~
- ~~e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.~~
- ~~f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.~~
- ~~g. Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.~~

**Section 77.** The title of Subsection H. (Modification of Entitlement) of Section 4. (Review of Confirming Work) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 78.** The title of Subsection H. (Modification of Entitlement) of Section 5. (Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 79.** The title of Subsection H. (Modification of Entitlement) of Section 6. (Certificate of Appropriateness (Demolition, Removal, or Relocation)) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 80.** The title of Subsection H. (Modification of Entitlement) of Section 7. (Certificate of Compatibility or Non-Contributing Elements) of Division 13B.8. (Historic Preservation) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

#### **H. Modification of Entitlement Procedures**

**Section 81.** Paragraph 2. (Loss of Non-Confirming Rights) Subsection F. (Scope of Decision) of Section 3. (Annual Inspection Monitoring (Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection and/or Buyback Centers, Recycling Materials Sorting Facilities, Cargo Container Storage Yards, and Collection Bins)) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

2. **Notwithstanding Despite** any provision of this Code to the contrary, where a certificate of occupancy is revoked pursuant to this Section, a new certificate of occupancy for the property may only be issued if all requirements of the Code in effect at the time of issuance of the new certificate are satisfied. in the case of a site which has no valid certificate of occupancy any and all rights which may be granted by Sec. 12.23 (Nonconforming Building and Uses) of Chapter 1 (General Provisions and Zoning) of this Code are revoked.

**Section 82.** Paragraph 1. (Loss of Non-Confirming Rights) Subsection F. (Scope of Decision) of Section 4. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

1. **Notwithstanding Despite** any provision of this Code to the contrary, if a Certificate of Occupancy is revoked pursuant to this subsection, then a new Certificate of Occupancy for the property may only be issued if all requirements of the Code in effect at the time of application for such new Certificate are satisfied.

**Section 83.** Paragraph 1. (Repeat Violations) Subsection H. (Further Action) of Section 4. (Annual Inspection Monitoring (Automotive Repair Garage and Used Vehicle Sales Area) of Division 13B.10. (Department of Building and Safety) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

1. ~~Notwithstanding~~ Despite any provision of this Section to the contrary, if an order is issued for violation of a provision of the Code, and after compliance with it, a subsequent order is issued for a violation of the same provision occurring within 1 year of the date of the initial notice:

**Section 84.** Subparagraph a. Paragraph 5. (Housing Projects) Subsection G. (Scope of CEQA Appeal Action) of Section 1. (Environmental Review Procedures) of Division 13B.11. (California Environmental Quality Act (CEQA) Provisions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- a. ~~Notwithstanding~~ Despite Subsection F. (Appeals of CEQA Decisions) and Subsection G. (Scope of CEQA Appeal Action) in this Section, if a Project includes dwelling units, and the City Council reverses all CEQA Clearances for a Project, the Council does not have the option to reverse the CEQA Clearance without Remand in Paragraph F.9.b.iii (Council Authority on Appeal) of this Section.

**Section 85.** Sub-subparagraph ii. of Subparagraph a. Paragraph 5. (Penalties) Subsection I. (Prohibition and Enforcement of Improper Segmentation of Projects) of Section 1. (Environmental Review Procedures) of Division 13B.11. (California Environmental Quality Act (CEQA) Provisions) of Part B. (Processes & Procedures) of Article 13 of Chapter 1A of the Los Angeles Municipal Code shall be amended to read as follows:

- ii. No permits may be issued by the Department of Building and Safety for new development on the Project Site for up to five (5) years from issuance of the Letter of Determination. Regardless of the above ~~notwithstanding~~, the Department of Building and Safety may issue any permits necessary to address a threat to the public health and safety. In imposing this penalty, the Zoning Administrator, or Area Planning Commission on appeal, may take into account any action taken by the Department of Building and Safety pursuant to

Section 91.106.4.1.10 (Permits Issuance; Issuance; Exceptions).

**Section 86. SEVERABILITY.** If any provision of this ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this ordinance that can be implemented without the invalid provisions. To this end, the provisions of this ordinance are severable.

DRAFT

# **EXHIBIT C**

## **Notice of Exemption (ENV-2024-2777-CE)**

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 395  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

**CPC-2016-3182-CA-AMDT3**

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

**ENV-2024-2777-CE**

PROJECT TITLE

**Processes and Procedures Maintenance Ordinance**

COUNCIL DISTRICT

**All**

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

**Citywide**☐ Map attached.

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

An ordinance amending administrative provisions of Chapter 1 and Chapter 1A of the LAMC to address technical corrections, clarifications, and bring certain provisions into compliance with state regulations as part of regular maintenance of the Zoning Code.

NAME OF APPLICANT / OWNER:

CONTACT PERSON (If different from Applicant/Owner above)

**Bonnie Kim**

(AREA CODE) TELEPHONE NUMBER

**(213) 978-1330**

| EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

## STATE CEQA STATUTE &amp; GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) \_\_\_\_\_

☐ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) \_\_\_\_\_

☒ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b) )**State CEQA Guidelines Sec. 15061(b)(3) and/or Sec. 15378(b)(5)**

JUSTIFICATION FOR PROJECT EXEMPTION:

☒ Additional page(s) attached☐ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

## CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

STAFF TITLE

ENTITLEMENTS APPROVED

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

## **JUSTIFICATION FOR CEQA EXEMPTION**

The Department of City Planning has determined, based on the whole of the administrative record, that the proposed Processes and Procedures Maintenance Ordinance (Maintenance Ordinance) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) and Section 15378(b)(5). The proposed Maintenance Ordinance solely modifies administrative procedures for the processing of entitlement requests and has no effect on the physical environment.

Pursuant to Section 15061(b)(3), the proposed Maintenance Ordinance is not a project under CEQA, because the “activity is covered by the common sense exception 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 Maintenance Ordinance is also not a project under CEQA pursuant to Section 15378(b)(5) because “organization 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 Maintenance Ordinance does not change any discretionary actions into non-discretionary actions. Further, the proposed Maintenance Ordinance does not change the zoning of any properties. The proposed changes are limited to technical corrections and clarifications of administrative procedures and will not have an effect on the physical environment. As such, the proposed Maintenance Ordinance 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 and is not considered a “project” under CEQA.