



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. **R 23 - 0414**  
**NOV 01 2023**

**REPORT RE:**

**DRAFT ORDINANCE AMENDING ORDINANCE NO. 187712 TO INCORPORATE  
THE CALIFORNIA COASTAL COMMISSION'S AMENDMENTS TO THE CITY'S  
COASTAL DEVELOPMENT PERMIT PROCESSES AND PROCEDURES IN  
SECTION 13B.9.1. OF CHAPTER 1A OF THE LOS ANGELES MUNICIPAL CODE**

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

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would amend Section 13B.9.1. of Chapter 1A of the Los Angeles Municipal Code (LAMC) to incorporate Coastal Commission amendments to the City's Coastal Development Permit processes and procedures.

Background

On December 6, 2022, the City Council adopted Ordinance 187,712 (Council File 12-0460-S4), known as the Processes and Procedures Ordinance, which established Chapter 1A in the LAMC and comprehensively reorganized the processes and procedures in the LAMC related to zoning and land use entitlements. Among these changes were amendments to the City's Coastal Development Permitting (CDP) program (presently located at LAMC Section 12.20.2). In part, Ordinance 187,712



deleted LAMC Section 12.20.2 and established a reorganized update of that section in Section 13B.9.1 of Chapter 1A.

Because the City's CDP program was certified by the California Coastal Commission in 1978, any subsequent changes to the program require review and certification by the California Coastal Commission. To provide sufficient time for input by the Coastal Commission, on June 27, 2023, the City Council extended the operative date of Ordinance 187,712 to January 22, 2024.

At a public hearing on June 8, 2023, the Coastal Commission approved Section 13B.9.1, with amendments. These changes were then presented to the City Planning Commission (CPC) by the Department of City Planning. On July 27, 2023, the CPC adopted the recommendation of the Department of City Planning and recommended the City Council adopt the proposed ordinance.

On September 5, 2023, the Planning and Land Use Management Committee recommended that the City Council approve the proposed ordinance, as recommended by the CPC, and requested the City Attorney to prepare and present a draft ordinance approved as to form and legality.

#### Summary of Ordinance Provisions

The CPC's transmittal report to the City Council, dated August 3, 2023, includes the Planning Department staff report, which provides a detailed summary of the modifications to the City's CDP permitting program. The staff report notes that the modifications standardize applicable timelines, notification requirements, and appellate standard of review. Additional amendments approved by the Coastal Commission include non-substantive formatting and organizational changes and amendments to procedural language for greater clarification and consistency with the California Coastal Act.

The draft ordinance incorporates the amendments as approved by the Coastal Commission and adopted by the City Council. Certain deletions made by the Coastal Commission of numbered paragraphs in Subsections D and G necessitated re-numbering references to these numbered paragraphs in other parts of the ordinance. Therefore, the draft ordinance includes updated references to the correct numbered paragraphs in Subsections D and G for internal consistency. The draft ordinance allows the City to continue issuing Coastal Development Permits, and to provide hearings for and appeals of said permits.

#### Charter Findings Required

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section, namely that adoption of the draft ordinance will

be in conformity with public necessity, convenience, general welfare, and good zoning practice. Charter Section 558(b)(3)(A) allows the City Council to adopt an ordinance conforming to the CPC recommendation if the CPC recommends approval of the ordinance. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent, and provisions of the General Plan. The City Council can either adopt the CPC findings and recommendations as set forth in the CPC Transmittal Report to the City Council or make its own.

California Environmental Quality Act (CEQA) Standard of Review

The CPC recommends that the City Council determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15061(b)(3) and Section 15378(b)(5). If the City Council concurs, it should adopt these findings prior to or concurrent with its action on the ordinance.

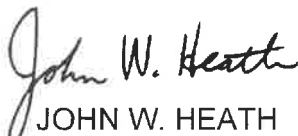
Council Rule 38 Referral

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

If you have any questions regarding this matter, please contact Deputy City Attorney Oscar Medellin at (213) 978-8068. A member of this Office will be available when you consider this matter to answer any questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By   
JOHN W. HEATH  
Senior Assistant City Attorney

JWH:OM:la  
Transmittal