

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**  
***SUPPLEMENTAL***  
***CF 20-0380-S1***

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2020-4926-CA	ENV-2020-4927-ND ENV-2021-325-CE-SE	All
<b>PROJECT ADDRESS:</b>		
Citywide		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Andrew Pennington	(213) 978-1395	andrew.pennington@lacity.org

<b>NOTES / INSTRUCTION(S):</b>	
<p>Transmittal of a Notice of Exemption, NOE Justification, and Fee Assessment related to an existing fee for use in the proposed Ordinance.</p> <p><b>Recommended Actions:</b></p> <p>Recommend that the City Council determine, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to California Public Resources Code Section 21080.25 and CEQA Guidelines, Section 15301 (Class 1), and there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.</p> <p>Recommend that the City Council adopt the fee assessment for the proposed Ordinance.</p>	
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Andrew Pennington	2/10/2021

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)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 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-2020-4926-CA

LEAD CITY AGENCY

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

CASE NUMBER

ENV-2021-325-CE-SE

PROJECT TITLE

Local Emergency Code Amendment

COUNCIL DISTRICT

Citywide

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

☐ Map attached.**Citywide**

PROJECT DESCRIPTION:

☒ Additional page(s) attached.

Code Amendment (CA) to Article 6 of Chapter 1 of the LAMC, to provide regulatory relief from specific Zoning Code provisions during a declared Local Emergency. See attachment for further detail.

NAME OF APPLICANT / OWNER:

**City of Los Angeles**

CONTACT PERSON (If different from Applicant/Owner above)

**Andrew Pennington**

(AREA CODE) TELEPHONE NUMBER

(213) 978-1395

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) 21080.25☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) Sec. 15301/Class 1☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b) )

JUSTIFICATION FOR PROJECT EXEMPTION:

☒

Additional page(s) attached

Please see attachment.

☒ 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

**Andrew Pennington**

STAFF TITLE

**Planning Assistant**

ENTITLEMENTS APPROVED

FEE:

RECEIPT NO.

REC'D. BY (DCP DSC STAFF NAME)

Attachment to Notice of Exemption  
ENV-2021-325-CE-SE

**Project Description**

The Local Emergency Code Amendment project is an ordinance amending and establishing new provisions within Article 6 of Chapter I of the Los Angeles Municipal Code. This amendment will supplement the current provisions and procedures within Article 6, which details the various temporary regulations available during a declared local emergency. The proposed ordinance will provide the Los Angeles City Council and Mayor with a mechanism, during a declared local emergency, to enact an extension of time limits for certain conditional use permits and related actions, suspension of valet and off-site parking conditions of approval for certain entitlements, and suspension of additional parking requirements when a change of use occurs to a nonresidential use. Certain eligibility criteria must be meant to take advantage of any of these regulatory relief measures. All these provisions will only be available for activation during a local emergency declared by the City of Los Angeles or State of California. Furthermore, the provisions will only be available upon approval of an affirmative resolution by Council by majority vote or by emergency order by the Mayor, and the time period they are applicable during are time limited. However, if activated, the alternative calculation method for required automobile parking will be permanent for approved projects. The suspension of valet parking and off-site parking conditions of approval are limited to the time frame the provisions are active. Finally, the project will rename Article 6 and create an exception, for these provisions, from the general activation clause of the Article.

**Justification for CEQA Exemption  
(PRC Section 21080.25 & Class 1, Category 15301 Existing Facilities)**

Chapter 2.6, Section 21080.25 of the State's Public Resources Code provides a statutory exemption from CEQA for "a project carried out by a city or county to reduce minimum parking requirements." A central component of this Project pertains to reductions in automobile parking requirements and provisions.

The Project provides regulatory relief from certain automobile parking requirements during a declared local emergency and for a short period thereafter, among other provisions. The relief provided allows for existing buildings undergoing a change of use to maintain its existing required parking, and not be required to provide additional parking even if it would otherwise be required. This provision is permanent for applicable properties and businesses and in some instances will result in an overall reduction of required parking below current Code parking requirements for the life of that structure.

Furthermore, it relieves, during said local emergency, requirements for off-site and valet automobile parking. The suspension of these requirements will limit the available automobile parking, regardless of whether said parking is a requirement itself, for any operators thus resulting in a reduction of minimum parking requirements.

Article 19, Section 15301, Class 1 of the State's CEQA Guidelines exempts projects that consist of "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."

The Project is limited in scope and applicability. The Project is tailored to impact only existing structures and entitlement approvals, and only in relationship to its automobile parking requirements and time limits for utilization of previously approved and environmental reviewed projects by the City. Its applicability is limited to times of local emergency only. The Project does not change any zoning or General Plan designations, create any zoning entitlements, approve

any development, authorize new construction, or introduce any new uses. Due to the limitations imposed on the provided relief, including the limits on their applicability to times of local emergencies and restrictions on the size and age of structures eligible for parking reductions, it is reasonable to expect no more than a negligible expansion of use.

Pursuant to CEQA Guidelines Section 15300.2, none of the exceptions to qualifying for a Categorical Exemption apply. The Project does not authorize any construction projects, and thus will not result in a construction project having a significant effect or unusual circumstance, or affect scenic highways, hazardous waste sites, or historical resources.

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

**CITY PLANNING COMMISSION**

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PRESIDENT

CAROLINE CHOE  
VICE-PRESIDENT

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AJAY RELAN

VACANT

**CITY OF LOS ANGELES  
CALIFORNIA**



ERIC GARCETTI  
MAYOR

**EXECUTIVE OFFICES**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
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VACANT  
DEPUTY DIRECTOR

February 10, 2021

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**PROPOSED LOCAL EMERGENCY ORDINANCE EXISTING FEE ASSESSMENT; CF 20-0380-S1**

On December 3, 2020, the City Planning Commission considered and approved an ordinance to amend Article 6 of the LAMC which would expand temporary regulations during a declared local emergency. As part of the expansion of regulatory relief, an extension of time limitations and utilization period is proposed to support local businesses affected by the current and future emergencies. As such an application fee is incorporated into the provisions, which is an existing fee provided for in Section 19.01 J of the LAMC-Time Extension for other than Maps.

The extension of a time limit or limitation is an administrative process that requires the performance of various tasks involving case review, data entry, code compliance, and simple calculations. In addition, certain criteria must be reviewed to ensure eligibility for the extension itself. The Zoning Code, Chapter 1 of the Los Angeles Municipal Code (LAMC), currently prescribes a fee of \$336 for "Time Extension for other than Maps," within Section 19.01 J. The fee is based on the hourly rate, inclusive of staff and related costs as well as overhead and management, and the average amount of time for completion of the necessary tasks. The underpinning of this fee, and the rates charged, was adopted by City Council in February 2018 (Ordinance 185,432).

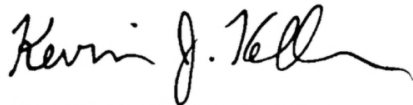
The proposed Ordinance requires the above fee to be paid as part of the application process for utilization of the time extensions proposed within it. The tasks required to process an extension as described in the proposed Ordinance is identical to and overlaps with many of the same tasks that are prescribed for an extension of a time limit in other portions of the LAMC. This process would include the same review of eligibility criteria,

case file review, data entry, compliance assessment, and calculations. This assessment, and similarities between the existing extensions in the LAMC, show that the fee requirement in the proposed Ordinance is reasonable and consistent with the existing time extension fee prescribed in Section 19.01 J of the LAMC.

Therefore, the Department recommends the adoption of this fee assessment as part of the record for the proposed Ordinance, and justification for the utilization of the fee as part of the adoption and implementation of the proposed Ordinance.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

A handwritten signature in black ink, reading "Kevin J. Keller". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

KEVIN J. KELLER, AICP  
Executive Officer

VPB:KK:AV:HSC:ap