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May 12, 2021

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

Attn: Planning and Land Use Management Committee

**RE: MODIFICATION TO ENV-2020-4927-ND; PROPOSED CITYWIDE LOCAL  
EMERGENCY ORDINANCE; CF 20-0380-S1**

Dear Honorable Councilmembers:

On February 16, 2021, this Committee, the Planning and Land Use Management (PLUM) Committee of the Los Angeles City Council, considered and approved, with amendments, the proposed Local Emergency Ordinance. The proposed Ordinance would provide the City Council and the Mayor with a mechanism, during a declared Local Emergency, to enact temporary regulatory relief from certain time limitations and automobile parking zoning provisions in the Los Angeles Municipal Code (LAMC).

The amendments to the proposed Ordinance, adopted by the PLUM Committee, modifies the eligibility criteria and scope of the regulatory relief provided for automobile parking only. The other key components of the proposed Ordinance remain intact, including its limited scope and applicability during a declared Local Emergency as well as the requirement of an affirmative action by the City Council or Mayor to enable the provisions during a declared Local Emergency. Furthermore, the only other regulatory relief, an extension of time limitations and term limits for conditional use permits (CUP), has been left intact as well.

This document provides minor revisions to the Local Emergency Code Amendment Project Negative Declaration (ND) (City of Los Angeles No. ENV-2020-4927-ND). Specifically, based on the amendments introduced and incorporated by the PLUM Committee, the Project Description and Project Analysis have been modified.

Authority under Section 15073.5 of the State CEQA Guidelines allows the Lead Agency to add new information to the ND which merely clarifies, amplifies, or makes insignificant modifications to the document. The ND need not be recirculated if new information, including changes in the project or new data, is not significant. This includes replacing mitigation measures with equal or more effective measures pursuant to Section 15074.1, measures or conditions of project approval are added after circulation of the ND which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.

## **PROPOSED PROJECT MODIFICATIONS**

The ND prepared for the Proposed Project identified that the proposed Local Emergency Ordinance would not have a significant effect on the environment. During its consideration of the proposed Ordinance, the PLUM Committee introduced and approved three amendments that modify the regulatory relief provided for automobile parking. The amendments are as follows:

- Amend the ordinance to allow creation or expansion of outdoor dining areas on-site or in adjacent public right-of-way without triggering additional parking requirements.
- Amend the emergency ordinance to authorize suspension of all requirements to provide off-site parking.
- Amend the ordinance so that, when there is a change of use, the first 5,000 SF are exempt from a requirement to provide additional parking.

These amendments only modify the existing structure and eligibility criteria of the regulatory relief that would be provided for automobile parking in the proposed Ordinance. The incorporation of these amendments into the proposed Ordinance resulted in the following changes:

- Allows for the creation or expansion of outdoor dining or outdoor eating areas without triggering any additional parking requirements for said space, and no longer requires the maintenance of existing parking while the temporary regulations are in effect.
- Expands the relief provided for off-site parking conditions of approval to now include variances, and applies the relief to Zoning Code required automobile parking not just automobile parking above and beyond Zoning Code requirements.
- For existing tenant spaces undergoing a change of use, no additional automobile parking will be required for the first 5,000 square feet; this replaces the 5,000 square feet being a hard tenant space size cap.

The purpose of this modification letter is to provide clarification that the analysis contained in the ND has not changed due to the amendments incorporated at the instruction of the PLUM Committee. Though these approved changes expand eligibility and the scope of the regulatory relief for automobile parking, the original analysis of potential environment impacts and the conclusion that the Proposed Project will not have an adverse impact on the environment still stands.

The key limiting factor of any impacts from the proposed Ordinance is the existing conditions that must occur to allow the provisions to be enacted, and even then, they are only temporarily in place during the term of the Local Emergency and for a limited period thereafter. The uncertain physical and economic conditions that prevail during a Local Emergency limit the scale and widespread utilization of the regulatory relief. Furthermore, the environmental impacts of automobile usage

and the encouragement of vehicle trips are antithetical to the purpose of CEQA, and the type of regulatory relief for automobile parking in the proposed Ordinance would discourage rather induce

further vehicle trips by creating a smaller pool of available automobile parking and related parking services. Furthermore, the City, County, and State have made both policy decisions and increased dedicated funding to alternative methods of transportation that enable a variety of alternatives to automobiles which alleviates any nominal loss in overall automobile parking citywide.

### **ASSESSMENT OF POTENTIAL ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT MODIFICATIONS**

The information presented in this document serves to clarify or amplify the conclusions in the ND. This new information is not significant, and recirculation is not required. In conformance with the State CEQA Guidelines, the ND, technical appendices and reports thereof, together with this modification letter, and the information contained in this document are intended to serve as documents that will generally inform the decision-makers and the public of environmental effects of the Project.

Based upon the attached analysis, the Environmental Policy Unit of the Department of City Planning has determined that the previously issued Negative Declaration (ENV-2020-4927-ND) serves to address the potential environmental impacts of the project. Pursuant to CEQA Guidelines, Section 15073.5, the minor modifications to the Project assessed in the Negative Declaration (ENV-2020-4927-ND) do not require major revisions to the document and no subsequent EIR or negative declaration is required to approve the modifications set forth above to the Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vincent P. Bertoni', written over a horizontal line.

Vincent P. Bertoni, AICP  
Director of Planning

HSC:ap

cc: Case File