

FINDINGS

Land Use Findings

City Charter Finding 556 (General Plan). In accordance with City Charter Section 556, the proposed Increasing Transparency on Council Time Extensions 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:

Framework Element - Economic Development (Chapter 7)
<p>Objective 7.4 Improve the provision of governmental services, expedite the administrative processing of development applications, and minimize public and private development application costs.</p> <p>Objective 7.8 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 Increasing Transparency on Council Time Extensions Ordinance achieves the City Council's goal to provide the public with a clear and transparent process for high value development projects, including its appeals, and all CEQA appeals. Currently, the LAMC does not establish a limit on the duration and/or number of extensions that an applicant and the City Council can mutually consent to for the time to act on entitlement applications and all CEQA appeals. This makes the project's timeline for an approval or denial unclear and uncertain, creating the potential for delays and/or undue influence. Per the City Council's instructions, the proposed Ordinance would ensure that 1) high value development projects are defined based on thresholds that set larger scale projects apart from other projects and 2) limit the duration and number of time extensions the City Council and applicant may consent to for the City Council's time to act on any application for a high value development project, its appeals and all CEQA appeals. All with the intent of guaranteeing that these projects are subject to a more transparent legislative process and are not subject to undue influence given their value to the City.

City Charter Finding 558 and LAMC Section 12.32 (Public Necessity, Convenience, General Welfare, and Good Zoning Practice). In accordance with City Charter Section 558 (b)(2) and Section 12.32 C.2 and C.7 of the LAMC, the proposed Increasing Transparency on Council Time Extensions Ordinance is in substantial conformance with public necessity, convenience, general welfare, and good zoning practice because it provides the public with a clear, timely and transparent process for high value development projects, including its appeals, and all CEQA appeals. The amendments guarantee that these projects are subject to a more transparent legislative process and are not subject to unnecessary delays given their value to the City.

Environmental Findings

The Department has determined, based on the whole of the administrative record, that the Proposed Increasing Transparency on Council Time Extensions Ordinance (Proposed Ordinance) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) and Section 15378(b)(5) (Exhibit B). The Proposed Ordinance solely modifies administrative procedures for the processing of entitlements and CEQA appeals extension requests and has no effect on the physical environment.

Pursuant to Section 15061(b)(3), the Proposed 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 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 Ordinance does not change any discretionary actions into non-discretionary actions. Further, the Proposed Ordinance does not change the zoning of any properties. The Proposed changes are limited to clarifications of definitions and administrative procedures and will not have an effect on the physical environment. As such, the Proposed 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.