

CULTURAL HERITAGE ORDINANCE

PROPOSED PROCEDURAL AMENDMENTS

The City of Los Angeles is proposing a number of procedural amendments to the Cultural Heritage Ordinance (Section 22.171 of the Los Angeles Administrative Code) in order to improve the processing of Historic-Cultural Monument (HCM) nominations. The proposed changes are outlined below.

1. Provide Earlier Notification to Property Owners

The current ordinance does not require notice to the property owner that an HCM nomination has been filed until after the Cultural Heritage Commission holds an initial hearing to take the nomination officially under consideration. Many property owners therefore feel “blindsided,” not only by the nomination itself, but also by the realization that they were unable to participate in an initial public hearing affecting their own property. The proposed amendments would require notification to the property owner once the HCM nomination has been deemed complete and will also provide notification of the date of the first hearing. This amendment would provide more appropriate due process, enabling owners to participate in all public hearings affecting their property.

2. Provide Earlier Stay on Demolition and Alteration Permits

Under the new proposal, the stay of demolition while a nomination is being considered would begin when an application is deemed complete by staff and scheduled for the Commission’s hearing, rather than after initial Commission consideration. While this would slightly lengthen the “stay” period, typically by 10-20 days, this amendment is essential to the first change, described above, allowing for the ability to notify property owners of the initial hearing without potentially triggering a preemptive demolition.

3. Allow for 60 Day Time Extensions

The Cultural Heritage Commission currently has 75 days to act on a proposed Monument nomination. The City Council has 90 days plus an additional 15 day extension to act on the recommendation from the Cultural Heritage Commission. The proposed amendment would allow for an extension to these time limits, with the written consent of the property owner. Each time extension would be limited to no more than 60 days so that Monument applications cannot be held in abeyance indefinitely. This practice on continuances is also consistent with the policies for time extensions in the City’s zoning code.

4. Clearly Demarcate the Designation Criteria

The Ordinance currently contains a paragraph-long “Definition of a Monument” that actually represents the criteria for designation. The proposed amendment would make no substantive changes, but would label this section as “Designation Criteria” and pull out the criteria individually into three categories. These three criteria, which have been in the Cultural Heritage Ordinance since the 1960s, also mirror the first three criteria of the National Register of Historic Places and the California Register of Historical Resources. Numbering the criteria will ease public understanding of the designation criteria, parallel the format used for findings of eligibility in Los Angeles’ citywide historic resources survey, SurveyLA, and better link the City’s local designation criteria to National and State designation programs.