



# ALSTON & BIRD LAND USE MATTERS

A publication of Alston & Bird's Land Use Group

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*Land Use Matters* provides information and insights into legal and regulatory developments, primarily at the Los Angeles City and County levels, affecting land use matters, as well as new CEQA appellate decisions.

Please visit the firm's website for additional information about our [Land Use Group](#).

## The Latest Effects on the Land Use Entitlement Process Caused by COVID-19

### State

Rule No. 9 — The Judicial Council has issued [emergency rules](#) for the operation of the court system during the COVID-19 pandemic. Emergency Rule No. 9 extends the statutes of limitations in all civil cases until 90 days after the COVID-19 emergency orders are lifted. For land use matters, this Rule extends the short statute of limitations for lawsuits under CEQA and other statutory provisions, which are typically short in nature, ranging from 30 to 90 days.

CEQA Notices — On April 22, 2020, Gov. Newsom issued an executive order ([Executive Order N-54-20](#)) that eliminates until June 21, 2020 the requirement that Notices of Preparation, Notices of Availability, Notices of Intent to Adopt, Notices of Determination, and Notices of Exemption be posted with the county clerk due to the difficulty in accessing most county clerk offices. In lieu of posting notices with the county clerk, notices must be provided at more online sites, and the project applicant must “engage in outreach” with interested parties.

### City of Los Angeles

Traffic analyses — The city had been requiring that CEQA review documents for ongoing entitlement matters include a vehicle miles traveled (VMT) analysis if the project was not slated to receive its final entitlements before July 1, 2020. Due to delays in project hearing and decision dates caused by the COVID-19 crisis, [this requirement may be deferred](#) (1) upon verification of a Memorandum of Understanding with the Los Angeles Department of Transportation dated before July 31, 2019; (2) if the draft CEQA document had been circulated for public review; and (3) upon a showing that a final decision by July 1, 2020 was likely delayed due to the COVID-19 crisis.

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This publication by Alston & Bird LLP provides a summary of significant developments to our clients and friends. It is intended to be informational and does not constitute legal advice regarding any specific situation. This material may also be considered attorney advertising under court rules of certain jurisdictions.

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