

Real Estate & Land Use

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City of Los Angeles - Planning and Zoning Update

Authors: [Ellen M. Berkowitz](#) | [Lisa B. Kolieb](#)

As part of the City of Los Angeles' comprehensive effort to revise its Planning and Zoning Code, which has not been done since 1946, and to streamline the development process to make it more clear, the City recently approved two significant ordinances.

The first, commonly referred to as the "Multiple Approvals Ordinance," simplifies the process for projects that require approvals from different bodies (such as the Director of Planning, Zoning Administrator, Planning Commission) by permitting all applications to be filed and heard concurrently; the expiration period for all multiple approvals will also occur at the same time. This is a tremendous benefit for complex projects that require a variety of approvals (zone changes, specific plan amendments, conditional use permits, variances), which have had to deal with conflicting processes, differing expiration periods, and sometimes inconsistent coordination between the various divisions within the Planning Department. The ordinance also allows, upon request to the Planning Director, extensions for all entitlement approvals with *effective dates* between July 15, 2005, and December 31, 2010. For projects stopped or slowed by the economic downturn that had entitlements at risk of expiring, this provision eliminates the need to undergo a full costly and time-consuming re-approval process that could take several additional years.

The second, commonly referred to as the "Core Findings Ordinance," standardizes common findings required for approval of land use decisions, and reorganizes, deletes or rewords redundant or duplicative findings to streamline the development process. This will save applicants and City staff significant time, as both will no longer have to prepare multiple sets of findings for a single project, each of which is slightly different from the other, but often similar enough to create significant redundancies.

Multiple Approvals Ordinance

The City of Los Angeles recently adopted an ordinance that: (1) standardizes the application and review process for projects requiring multiple approvals, (2) synchronizes the expiration periods of multiple approvals granted to a single project, (3) establishes a standard three-year expiration period for non legislative approvals and clarifies the Code's language regarding utilization of approvals, (4) extends the life of previously granted approvals, (5) eliminates the redundancy of time extensions for quasi-judicial land use approvals, and (6) makes other technical corrections. The ordinance is scheduled to become effective on May 20, 2012.

Making Review Process Consistent for Projects Requiring Multiple Approvals

Newsletter Editor

Roger A. Grable
Counsel
[Email](#)
714.371.2537

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Authors



Ellen M. Berkowitz
Partner
[Email](#)
310.312.4181



Lisa B. Kolieb
Associate
[Email](#)
310.312.4297

The ordinance clarifies the application process, including the identity of the initial decision maker and appellate body, for projects requiring multiple approvals.

Synchronization of Entitlement Expiration Periods

The ordinance synchronizes the expiration of approvals for projects requiring multiple approvals so that all approvals expire at the same time.

Clarification of Language Regarding Utilization of Approvals

The ordinance establishes a standard three-year expiration period, as opposed to the Code's current mix of two- and three-year expiration periods for nonlegislative approvals. It also clarifies that a nonlegislative approval is considered utilized (or vested) "when a valid permit from the Department of Building and Safety has been issued and construction work has begun and been carried out diligently without substantial suspension or abandonment of work." Approvals not requiring building permits are considered utilized when "operations of the use authorized by the approval have commenced." The ordinance also carves out an exception to the "utilization" section for religious and institutional uses, for which no time limit is provided as long as certain conditions are met.

Extension of Previously Granted Approvals

The ordinance provides varying time extensions for *all* entitlement approvals with *effective dates* between July 15, 2005, and December 31, 2010. Entitlement approvals with effective dates between July 15, 2005, and December 31, 2007, will receive a 60-month extension of their original expiration period; entitlements with effective dates between January 1, 2008, and December 31, 2008, will receive a 48-month extension; and entitlements with effective dates between January 1, 2009, and December 31, 2010, will receive a 24-month extension.

Importantly, the ordinance does *not* make these entitlement time extensions automatic, but instead requires that the Planning Director (or his designee) first make a written finding that "the prior discretionary approval and the required environmental review considered significant aspects of the approved project and that the existing environmental documentation under the California Environmental Quality Act is adequate for the issuance of the extension."

Elimination of Redundancy of Time Extensions for Quasi-Judicial Land Use Approvals

The new ordinance also explicitly states that this onetime extension of time will supersede any previous extensions of time granted pursuant to Ordinance Nos. 180,647 and/or 181,269 (i.e., the City's previously adopted time extension ordinances that implemented various state laws extending subdivision approvals, and extended the benefits of these state laws to City entitlements that were "related" to subdivision approvals).

For a copy of the Multiple Approvals Ordinance, click [here](#).

Core Findings Ordinance

The City of Los Angeles recently adopted an ordinance that

standardizes common findings required for various quasi-judicial land use entitlements, as well as consolidates, deletes and rewords existing findings to streamline the development process. The ordinance is scheduled to become effective on May 7, 2012. In its Staff Report regarding the ordinance, City Planning stated that it anticipates that “fewer findings with clear, simple language will improve the transparency and understandability of reports. In addition, the proposed language will strengthen the analysis of discretionary projects by providing clear guidelines for evaluating their pros and cons.”

The standardized common findings adopted by the ordinance are as follows:

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
2. The project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

If you expect to file any land use entitlement applications on or after May 7, 2012, make sure that you refer to the updated findings in preparing your application.

For a copy of the Core Findings Ordinance, click [here](#).

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