

ORDINANCE NO. 173455

A Charter implementation draft ordinance amending Sections 11.5.3, 11.5.7, 12.03, 16.50 and 19.01 of the Los Angeles Municipal Code relative to specific plans consistent with provisions of the Charter adopted by the voters at the general municipal election held June 8, 1999.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The definition of Director of Planning in Section 11.5.3 of the Los Angeles Municipal Code is amended to read:

Director of Planning (Director).

In addition to the duties set forth in the Charter, the Director of Planning shall have the authority to interpret the meaning of the General Plan and specific plans in instances when there is a lack of clarity in the meaning of those regulations, subject to appellate review. The Director may appoint a designee to act on his or her behalf, in which case, references in this article to Director shall include this designee, unless stated otherwise.

Sec. 2. The definition of Director of Planning in Section 12.03 of the Los Angeles Municipal Code is amended to read:

Director of Planning (Director). The chief administrative officer of the Department of City Planning shall be known as the Director of Planning and shall be appointed and removed as provided in Charter Section 508. The Director shall be chosen on the basis of administrative and technical qualifications, with special reference to actual experience in and knowledge of accepted practice in the field of city planning. The Director shall interpret the meaning of the General Plan and specific plans in instances when there is a lack of clarity in the meaning of those regulations, subject to appellate review. The Director may appoint a designee to act on his or her behalf, in which case, references in this Code and other land use ordinances to Director shall include this designee, unless otherwise stated.

In accordance with Charter Section 553, the Director of Planning or his or her designee shall:

- (a) prepare the proposed General Plan of the City and proposed amendments to the General Plan;

(b) prepare all proposed zoning and other land use regulations and requirements, including maps of all proposed districts or zones;

(c) make investigations and act on the design and improvement of all proposed subdivisions of land as the advisory agency under the State Subdivision Map Act; and

(d) have additional powers and duties as are provided by ordinance.

Sec. 3. Section 11.5.7 of the Los Angeles Municipal Code is amended to read:

SEC. 11.5.7. SPECIFIC PLAN PROCEDURES

A. Purpose and Objectives. Specific plans are land use ordinances that provide regulatory controls or incentives for the systematic execution of the General Plan and provide for public needs, convenience and general welfare. Except as otherwise provided by this section, procedures for the establishment, amendment or repeal of specific plans shall be as set forth in Section 12.32 E.

The objectives of this section are as follows:

1. To establish uniform citywide procedures for review of applications for projects within specific plan areas in accordance with applicable specific plan requirements and the City Charter; and
2. To establish uniform citywide standards and criteria for processing a request for a specific plan amendment or specific plan interpretation, and an application for: project permit compliance; project permit adjustment; modification of a project permit compliance; and specific plan exception.

B. Relationship To Provisions of Specific Plans. If any procedure established in a specific plan conflicts with any procedure set forth in this section, the provisions of this section shall prevail.

1. Definitions. For the purpose of this section, the following words and phrases are defined as follows:

Project Permit Compliance shall mean a decision by the Director that a project complies with the regulations of the applicable specific plan, either as submitted or with conditions imposed to achieve compliance.

Project Permit Adjustment shall mean a decision on a project by the Director granting a minor adjustment from certain specific plan regulations, subject to the limitations specified by this section.

2. Application Procedure.

(a) Application, Form and Contents. To apply for a Project Permit Compliance, a Project Permit Adjustment, modification of a Project Permit Compliance, specific plan exception, or to request a specific plan amendment or specific plan interpretation, an applicant shall file an application with the Department of City Planning, on a form provided by the Department, and include all information required by the instructions on the application and any applicable adopted guidelines. Prior to deeming the application complete, the Director shall determine and, if necessary, advise the applicant of the processes to be followed and fees to be paid.

(b) Application Fees. The application fees for a Project Permit Compliance, Project Permit Adjustment, specific plan exception, request for a specific plan amendment and specific plan interpretation shall be as set forth in Section 19.01 J.

C. Project Permit Compliance Review - Director of Planning With Appeal to the Area Planning Commission.

1. Director's Authority. The Director shall have the initial decision-making authority to decide whether an application for a project within a specific plan area is in conformance with the regulations established by this subsection and in compliance with applicable regulations of the specific plan. In addition, the Director shall have the authority to determine what type of projects are exempt from these Project Permit Compliance procedures based on exemption provisions and other regulations contained in individual specific plans.

(a) The Director shall review and approve, disapprove or approve with conditions an application for a Project Permit Compliance.

(b) In granting a Project Permit Compliance, the Director shall require compliance with the applicable regulations of the specific plan and mitigation of significant adverse effects of the project on the environment and surrounding areas.

2. Findings. The Director shall grant a Project Permit Compliance upon written findings that the project satisfies each of the following requirements:

(a) That the project substantially complies with the applicable regulations, standards and provisions of the specific plan; and

(b) That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

3. Limitations. The granting of a Project Permit Compliance shall not imply compliance with any other applicable provisions of the Los Angeles Municipal Code. Any corrections and/or modifications to project plans made subsequent to a Director's Project Permit Compliance that are deemed necessary by the Department of Building and Safety for Building Code compliance, and which involve a change in floor area, parking, building height, yards or setbacks, building separation or lot coverage, shall require a referral of the revised plans back to the Department of City Planning (and the Department of Transportation in cases where there are corrections and/or modifications that may affect the calculation of vehicle trips generated, project floor area or parking) for additional review and sign-off prior to the issuance of any permit in connection with those plans.

4. Director's Decision.

(a) Time Limit. The Director shall make a written decision approving, disapproving or approving with conditions a Project Permit Compliance application within 75 days after:

(1) the date the application is deemed complete; or

(2) when an environmental impact report (EIR) is required, the date the EIR is certified as complete consistent with State law.

This time limit may be extended by mutual consent of the Director and the applicant. The time limit may also be extended as provided in Section 12.25 A.

(b) Transmittal of Written Decision. Upon making a written decision, the Director shall transmit a copy by First Class Mail to the applicant. Copies shall also be provided to: the Department of Building and Safety; the Councilmember(s) having jurisdiction over the specific plan area in which the property is located; the Department of Transportation, where appropriate; owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; the Department of Neighborhood Empowerment; the chairperson of any design review or plan review board having jurisdiction over the specific plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

(c) Effective Date of Initial Decision. The Director's Project Permit Compliance shall become effective after an elapsed period of 15 calendar days from the date of mailing of the written decision, unless an appeal is filed on the decision within that period pursuant to Subdivision 6 of this subsection.

(d) Applicant's Compliance with Project Permit Compliance Terms and Conditions. Once a Project Permit Compliance is utilized, the applicant shall comply with the terms and conditions of the Project Permit Compliance that affect the construction and/or operational phases of the project. For purposes of this subsection, utilization of a Project Permit Compliance shall mean that a building permit has been issued and construction work has begun and been carried on diligently.

(e) Expiration. If a Project Permit Compliance is not utilized within two years after its effective date, the Project Permit Compliance shall become null and void, unless the Director approves an extension of time pursuant to an application filed by the applicant. An application for an extension may be filed in any public office of the Department of City Planning, accompanied by payment of a fee equal to that specified in Section 19.01 M. The application shall set forth the reasons for the request and shall be filed prior to the expiration date. Based on this request, the Director may grant an extension of the expiration date for a period of up to one year if the Director decides that good and reasonable cause exists.

(f) Site Plan Review Regulations. Project review pursuant to the Site Plan Review regulations in Section 16.05 shall not be required for projects in those specific plan areas, as determined by the Director, where similar project site planning regulations are established by the specific plan and significant project environmental impacts, if any, are mitigated by the measures imposed in the Project Permit Compliance.

(g) Mini-Shopping Center and Commercial Corner Development Regulations. Project review pursuant to the Mini-Shopping Center Commercial Corner Development regulations in Section 12.22 A 23 shall not be required for projects in those specific plan areas, as determined by the Director, where similar mini-shopping center or commercial corner development regulations are established by the specific plan and significant project environmental impacts, if any, are mitigated by the measures imposed in the Project Permit Compliance.

5. Failure to Act - Transfer of Jurisdiction.

(a) If the Director fails to act on an application within 75 days from the date of filing a complete application, or within a mutually agreed upon extension of time, the applicant may file a request for a transfer of jurisdiction to the Area Planning Commission for decision.

(b) When the Area Planning Commission receives the applicant's request for a transfer of jurisdiction, the Director shall lose jurisdiction. However, the Area Planning Commission may remand the matter to the Director, who shall regain jurisdiction for the time and purpose specified in the remand action. In addition, upon receipt of a written request by the applicant for withdrawal of the transfer of jurisdiction prior to the

matter being considered by the Area Planning Commission, the matter shall be remanded to the Director.

(c) If the matter is not remanded, the Area Planning Commission shall consider the application following the same procedures and subject to the same limitations as are applicable to the Director, except that the Area Planning Commission shall act within 45 days of the transfer of jurisdiction. The Department of City Planning shall make investigations and furnish any reports requested by the body to which the matter has been transferred.

6. Appeals.

(a) **Filing of an Appeal.** An applicant or any other person aggrieved by the Director's decision may appeal the decision to the Area Planning Commission. The appeal shall be filed within 15 days of the date of mailing of the Director's decision on forms provided by the Department. The appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Director. Any appeal not filed within the 15-day period shall not be considered by the Area Planning Commission. The filing of an appeal stays proceedings in the matter until the Area Planning Commission has made a decision. Once an appeal is filed, the Director shall transmit the appeal and the file to the Area Planning Commission, together with any reports responding to the allegations made in the appeal.

(b) **Appellate Decision - Public Hearing and Notice.** Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, with written notice of the hearing sent by First Class Mail at least 15 days prior to the meeting date to: the applicant; the owner(s) of the property involved; owners of properties within 100 feet of the exterior boundaries of the property involved; the Councilmember(s) having jurisdiction over the specific plan area in which the property is located; the Department of Neighborhood Empowerment; the chairperson of any design review or plan review board having jurisdiction over the specific plan area in which the property is located; and interested parties who have requested notice in writing.

(c) **Time for Appellate Decision.** The Area Planning Commission shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the Area Planning Commission. The failure of the Area Planning Commission to act within this time period shall be deemed a denial of the appeal.

(d) **Appellate Decision.** The Area Planning Commission may reverse or modify, in whole or in part, a decision of the Director. The Area Planning Commission shall make the same findings required to be made by the Director, supported by facts

in the record, and indicate why the Director erred in determining a project's compliance with the applicable regulations of the specific plan.

(e) Effective Date of Appellate Decision. The appellate decision of the Area Planning Commission shall be final and effective as provided in Charter Section 245.

D. Modification of a Project Permit Compliance - Director of Planning With Appeals to the Area Planning Commission. Once a Project Permit Compliance becomes effective, any subsequent proposed modification to the project shall require a review by the Director, who shall grant approval of the modification if he or she finds the modification to be substantially in conformance with the original Project Permit Compliance.

1. Modification Procedure. To modify an approved project, an applicant shall file an application with the Department of City Planning pursuant to the application procedure set forth in Paragraph (a) of Subdivision 2 of Subsection B. The application shall include an illustrated description of the proposed modification and a narrative justification. Written proof of any modification required by a public agency shall be submitted with the application.

2. Limitations. Modification applications and approvals shall only be valid for Project Permit Compliance decisions which have not expired. Unless the Director has granted an extension of time to utilize a Project Permit Compliance pursuant to Paragraph (e) of Subdivision 4 of Subsection C of this section, modifications shall not suspend or extend the authorization period of the original Project Permit Compliance.

3. Transfers of Jurisdiction - Appeals. The procedures for processing transfers of jurisdiction and appeals of Director's decisions on modifications shall be the same as those set forth for Project Permit Compliance decisions in Subdivisions 5 and 6 of Subsection C of this section.

E. Project Permit Adjustments - Director of Planning With Appeals to the Area Planning Commission.

1. Director's Authority. The Director shall have initial decision-making authority to grant a Project Permit Adjustment for minor adjustments from certain specific plan regulations. The procedures for reviewing applications shall be in Subsection C in addition to those set forth below.

(a) In granting a Project Permit Adjustment, the Director may impose project conditions as the Director deems necessary in order to achieve substantial conformance with the specific plan regulations.

(b) If an application requests more than one Project Permit Adjustment, the Director may determine and advise the applicant, prior to the application being deemed complete, that the request be filed and processed as a specific plan exception pursuant to Subsection F of this section.

2. Project Permit Adjustments shall be limited to:

(a) Adjustments permitting project height to exceed the designated height limitation on the property involved by less than ten percent;

(b) When the calculation of the maximum number of permitted multiple-family dwelling units results in a fraction, the number of total dwelling units may be rounded up to the next whole number, if the lot area remaining after calculating the maximum number of permitted dwelling units is at least 90 percent of the lot area required by the specific plan regulation to permit one additional dwelling unit;

(c) Adjustments permitting portions of buildings to extend into a required yard, setback or other open space a distance of less than 20 percent of the minimum width or depth of the required yard, setback or open space;

(d) Adjustments to minimum landscaped area requirements of less than 20 percent, or minor adjustments to required types of landscape materials;

(e) Adjustments to permitted signs that:

(1) exceed the maximum sign size (area) limitation by less than 20 percent;

(2) exceed the limit on the maximum number of signs by no more than 20 percent; or

(3) exceed the maximum sign height by no more than two feet;

(f) Adjustments from the minimum or maximum number of required parking spaces associated with a project of less than ten percent; and

(g) Minor adjustments from other specific plan development regulations, which do not substantially alter the execution or intent of those specific plan regulations to the proposed project, and which do not change the permitted use, floor area, density or intensity, height or bulk, setbacks or yards, lot coverage limitations, or parking standards regulated by the specific plan.

3. Findings. The Director shall grant a Project Permit Adjustment upon a written finding that the project satisfies each of the following requirements, in addition to any other required specific plan findings that may pertain to the Project Permit Compliance:

(a) That there are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical;

(b) That in granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations;

(c) That in granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way; and

(d) That the project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

F. Exceptions from Specific Plans - Area Planning Commission With Appeals to the City Council.

1. Authority of the Area Planning Commission. The Area Planning Commission shall have initial decision-making authority for granting exceptions from specific plan regulations. In accordance with Subsection D of Section 12.24, the Area Planning Commission shall hold a hearing at which evidence is taken.

(a) In granting an exception from a specific plan, the Area Planning Commission shall impose conditions to remedy any resulting disparity of privilege and that are necessary to protect the public health, safety, welfare and assure compliance with the objectives of the general plan and the purpose and intent of the specific plan. An exception from a specific plan shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.

(b) If an application for an exception would potentially impact a specific plan policy or a regulation affecting the entire specific plan area or any of its subareas, the Director shall advise the applicant, prior to the application being deemed complete, to request the City to initiate a specific plan amendment pursuant to Subsection G in lieu of processing the application for an exception.

2. Findings. The Area Planning Commission may permit an exception from a specific plan if it makes all the following findings:

(a) That the strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan;

(b) That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area;

(c) That an exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;

(d) That the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property; and

(e) That the granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.

3. Decision by Area Planning Commission.

(a) The Area Planning Commission shall render a decision on an application for an exception from a specific plan within 75 days after filing unless the applicant and Area Planning Commission consent in writing to a longer period.

(b) Decisions by the Area Planning Commission shall be supported by written findings of fact based on evidence in the record. Upon making a decision upon an application for an exception from a specific plan, the Area Planning Commission shall place a copy of its written findings, where required, and decision on file in the City Planning Department and provide a copy to: the Department of Building and Safety; the Councilmember(s) having jurisdiction over the specific plan area in which the property is located; and the Department of Transportation, where appropriate. Copies of the decision shall also be provided by First Class Mail to: the applicant; the Department of Neighborhood Empowerment; the chairperson of any design review or plan review board having jurisdiction over the specific plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

4. Effective Date of Decision. The Area Planning Commission's decision shall become final after an elapsed period of 15 calendar days from the date of mailing of the written decision, unless an appeal is filed on the decision within that period pursuant to this subsection.

5. Expiration. If a specific plan exception is not utilized within two years after its effective date, the specific plan exception shall become null and void, unless the Director approves an extension of time pursuant to the same procedures for extending the expiration date of a Project Permit Compliance, as set forth in Paragraph (e) of Subdivision 4 of Subsection C of this section.

6. Failure to Act - Transfer of Jurisdiction from the Area Planning Commission. If the Area Planning Commission fails to act on an application for an exception from a specific plan within the time limit specified in this subsection, the applicant may file a request for a transfer of jurisdiction to the City Council for a decision upon the original application, in which case, the Area Planning Commission shall lose jurisdiction. A request for transfer of jurisdiction may be filed in any public office of the Department of City Planning.

The Council may approve the application subject to making the findings contained in Subdivision 2 of this subsection, and may impose upon the approval conditions it deems necessary in accordance with those findings. The action of the Council shall be adopted by a majority vote of the whole Council within 45 days of the date the City Clerk receives the request for the transfer.

7. Appeal of Area Planning Commission Decision. An applicant or any other person aggrieved by a decision of the Area Planning Commission may appeal the decision to the City Council. The appeal shall be filed within 15 days of the date of mailing of the decision on forms provided by the Planning Department. The appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Area Planning Commission. Any appeal not filed within the 15-day period shall not be considered by the City Council. The filing of an appeal stays proceedings in the matter until the City Council has made a decision. Once an appeal is filed, the Area Planning Commission shall transmit the appeal and the file to the City Council, together with any report responding to the allegations made in the appeal.

The Council may reverse or modify, in whole or in part, any decision of the Area Planning Commission only by a two-thirds vote of the whole Council. The decision must contain a finding of fact showing why the proposed exception to a specific plan complies or fails to comply with the requirements of this section. Any vote of the Council in which less than two-thirds of the whole Council vote to reverse or modify the decision of the Area Planning Commission shall be deemed to be an action denying the appeal. The failure of the Council to vote upon an appeal within 90 days after the expiration of the appeal period, or within any additional period agreed upon by the applicant and the Council, shall also be deemed a denial of the appeal.

8. Hearing by Council. Before acting on any appeal, or on any matter transferred to it because of the failure to act, the City Council or its Committee shall set the matter for hearing, giving the same notice as provided in Subsection F.

G. Amendments to Specific Plans - City Planning Commission Recommendation With City Council Decision. The City Planning Commission shall have the authority for making recommendations for amendments to specific plans. The procedures for amending specific plans are set forth in Subsections A, C and E of Section 12.32, except that the publication and mailing of the hearing notice indicating the time, place and purpose of the City Planning Commission hearing shall be given at least 24 days prior to the date of the hearing. An amendment to a specific plan shall be required for any of the following proposals:

1. To permit establishment of a new principal use or a change of use that the specific plan specifically identifies as a prohibited use (Note: a specific plan exception shall be required for alteration or enlargement of an existing legal nonconforming use.);
2. To permit a use which exceeds the maximum number of permitted establishments or the maximum permitted occupant load for that use within the specific plan area or any of its subareas;
3. To permit a sign which the specific plan specifically identifies as a prohibited sign;
4. To deviate from the requirements of a plan map footnote;
5. To make significant changes to environmental mitigation measures which were adopted as part of the environmental clearance for the specific plan;
6. To make changes to impact fees which affect implementation of the specific plan or planned improvements;
7. To make boundary changes to the specific plan area or its subareas;
8. To change highway/street designations;
9. Any request which causes an inconsistency with the applicable community plan(s) and necessitates a community plan amendment; or
10. Other significant policy changes or modifications to specific plan regulations which affect the entire specific plan area or any of its subareas, as determined by the Director.

H. Interpretations of Specific Plans. The Director shall have authority to interpret specific plans when there is a lack of clarity in the meaning of their regulations.

1. Application Procedure. To request a specific plan interpretation, an applicant shall file an application with the Department of City Planning pursuant to the application procedure set forth in Paragraph (a) of Subdivision 2 of Subsection B of this section. The application shall include a reference to the specific plan regulation(s) for which clarification is requested and a narrative description of why a clarification is necessary for the project or subject property involved.

2. Director's Decision. Upon receipt of a deemed complete application, the Director's written interpretation shall be subject to the same time limit to act, transmittal requirement and effective date of decision as set forth in Paragraphs (a) through (c) of Subdivision 4 of Subsection C.

3. Appeals. The City Planning Commission shall hear appeals on Director interpretations which affect an entire specific plan area or any of its subareas, and the Area Planning Commission shall hear appeals on Director interpretations which are applicable only on a site specific basis. The procedures for filing and processing appeals of Director interpretations shall otherwise be the same as those set forth in Subdivision 6 of Subsection C of this section.

I. Optional Public Informational Meeting. When provided for in individual specific plans, the Director may hold a public informational meeting in connection with the Planning Department's review of a proposed project pursuant to the specific plan procedures set forth in Subsections C, D or E of this section, if the Director decides that the proposed project may have a potentially significant effect on adjoining properties or on the immediate neighborhood, or that it is likely to evoke public controversy, or that it would be in the public interest to conduct the meeting. In those cases, written notice of the meeting shall be sent by First Class Mail at least 15 days prior to the meeting date to: the applicant; the owner(s) of the property involved; owners of properties within 100 feet of the exterior boundaries of the property involved; the Councilmember(s) having jurisdiction over the specific plan area in which the property is located; to the Department of Neighborhood Empowerment; the chair of any design review or plan review board having jurisdiction over the specific plan area in which the property is located; and interested parties who have requested notice in writing.

J. Decision-Makers and Appellate Bodies for Other Specific Plan Provisions. For those specific plan provisions which are not addressed elsewhere in this section, the initial decision-maker and appellate bodies responsible for implementing those provisions shall be the Area Planning Commission and Council, respectively, unless otherwise identified in the following table. Notwithstanding the provisions of any specific plan to the contrary, there shall be only one level of appeal from any initial decision.

DECISION / APPELLATE BODIES FOR
OTHER SPECIFIC PLAN PROVISIONS

	SPECIFIC PLAN PROVISION	Location	Decision Body	Decision or Appeal Body
1	ALAMEDA DISTRICT Project Plan Compliance - Phase II	Ord. No. 171,139 Sec 5A3	CPC	CCL
2	CENTRAL CITY WEST TFAR/Resid. Density	Ord. No. 167,944 Sec 7	APC	CCL
	CENTRAL CITY WEST Phasing-Annual Report	Ord. No. 167,944 Sec 16C	CPC	CCL
3	CENTURY CITY NORTH Project Permit (Second Phase)	Ord. No. 156,122 Sec 3C	CPC	CCL
	CENTURY CITY NORTH Alternate Trip Generation Calcs	Ord. No. 156,122 Sec 6	APC	CCL
	CENTURY CITY NORTH Public Uses	Ord. No. 156,122 Sec 7E	APC	CCL
	CENTURY CITY NORTH Changes To Pedestrian Corridor	Ord. No. 156,122 Sec 10B9	APC	CCL
4	COASTAL TRANSPORTATION CORRIDOR Trip Generation Calcs	Ord. No. 168,999 Sec 5C1	APC	CCL
	COASTAL TRANSPORTATION CORRIDOR Transportation Provisions	Ord. No. 168,999	DOT	APC
	COASTAL TRANSPORTATION CORRIDOR Project Phasing Program	Ord. No. 168,999 Sec 8A	Director/DOT	APC
	COASTAL TRANSPORTATION CORRIDOR Public Pedestrian Facilities	Ord. No. 168,999 Sec 8B	Director/DOT/ City Engineer	APC
5	HOLLYWOODLAND Project Design Approval	Ord. No. 168,121 Sec 9F	Director	APC
6	LAX/ EL SEGUNDO DUNES	Ord. No. 167,940 Sec 4	Director	APC
7	OXFORD TRIANGLE Density Allowance	Ord. No. 170,155 Sec 6, 7	APC	CCL

8	PLAYA VISTA AREA B Time Limits	Ord. No. 160,521 165, 638 Sec 12	Director	APC
	PLAYA VISTA AREA B Plot Plan Review	Ord. No. 160,521 165, 638 Sec 7, 13	Director	APC
9	PLAYA VISTA AREA C Time Limits	Ord. No. 165,639 Sec 12	Director	APC
	PLAYA VISTA AREA C Plot Plan Review	Ord. No. 165,639 Sec 7, 13	Director	APC
10	PLAYA VISTA AREA D Time Limits	Ord. No. 160,523 170,785 Sec 10	Director	APC
	PLAYA VISTA AREA D Plot Plan Review	Ord. No. 160,523 170,785 Sec 7, 11	Director	APC
11	PORTER RANCH Landscape Plans, Uses, Height	Ord. No. 166,068 Sec 13	Director	APC
12	VENTURA/CAHUENGA BLVD Phasing-Certification of Compliance	Ord. No. 171,240 Sec 6J	CPC	CCL
13	WARNER CENTER Transportation Requirements	Ord. No. 168,873 168,984, 171,529 Sec 11	DOT/Director B&S	APC
	WARNER CENTER Phasing Program	Ord. No. 168,873 168,984, 171,529 Sec 16	CPC	CCL
	WARNER CENTER Traffic Mitigation Plan	Ord. No. 168,873 168,984, 171,529 Sec 11F	DOT, Director	APC
	WARNER CENTER Residential Neighborhood Protection Program	Ord. No. 168,873 168,984, 171,529 Sec 11K	APC	CCL
14	WEST LA TIMP Phasing Program	Ord. No. 171,492 Sec 7	CPC	CCL

Legend:

APC - Area Planning Commission
CCL - City Council
CPC - City Planning Commission
Director - Director of Planning
DOT - Department of Transportation

Sec. 2. Subdivision 3 of Subsection E of Section 16.50 of the Los Angeles Municipal Code is amended to read:

3. Design Review Process.

(a) Optional Preliminary Design Review. An applicant may request a preliminary design review to consult with the design review board for advice on the design of a proposed project. The design review board shall review all projects for which applications for preliminary design review have been accepted. The board shall provide comments to the applicant concerning the overall design of the project, materials and colors to be used, and landscaping for conformance with the applicable specific plan.

(1) Transmittal of Applications for Preliminary Review. Upon acceptance of a completed optional preliminary application, the application shall, within five calendar days, be referred to the design review board for placement on its agenda for its recommendation.

(2) Review and Recommendation of Design Review Board. The design review board shall preliminarily review the project within 21 calendar days after the request for the optional preliminary review has been referred to the board along with all of the required materials.

The design review board shall review the project with reference to all specific plan design criteria and guidelines as requested by the applicant. Results of the optional preliminary review shall be transmitted by the board to the Director within ten days after the design review board meeting for the Director's information only.

(b) Design Review of Final Applications. The design review board shall review all projects for which applications for final design review have been accepted.

(1) Transmittal of Applications for Final Review. Upon acceptance of a completed application for final design review, the application shall, within five calendar days, be referred to the design review board for its recommendation.

(2) Final Review and Recommendation of the Design Review Board. In making its recommendation to approve, conditionally approve or disapprove an application, the design review board shall hold a public hearing and shall notify the owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property, at least ten days prior to the date of the hearing. Notice of the hearing shall be posted by the applicant in a conspicuous place on the subject property at least five days prior to the date of the public hearing. The design review board shall review and make its recommendation on the project within 21 calendar days after the application which has been deemed complete has been referred to the board.

The design review board shall submit its recommendation to the Director within five calendar days after it has acted on the application or within any additional time as is mutually agreed upon in writing between the applicant and the Department of City Planning.

The design review board's recommendation shall include approval, disapproval, or approval with conditions to the project. The design review board shall make its recommendation based upon design criteria in the specific plan. In the event of a recommendation for denial, the board shall specify those areas in which the project fails to comply with the design criteria in the specific plan. Recommendations and summaries of discussions shall be transmitted to the Director.

The design review board's recommendation shall not affect any entitlement or discretionary approvals by applicable agencies and departments. Nothing in this subparagraph shall interfere with the Mulholland Scenic Parkway Design Review Board's authority to advise under Section 11 of the Mulholland Scenic Parkway Specific Plan.

If the design review board does not act and an extension of time is agreed upon as specified above in order for the applicant to provide a revised application with modifications for the project, then the revised project shall be submitted to the design review board for a second meeting to be held within 30 calendar days of the first meeting.

(c) Failure to Act. In the event the design review board fails to act on an application within the time limits specified in this section, the application shall be immediately referred without recommendation to the Director for determination.

(d) Action of the Director. Within ten calendar days following the receipt of the design review board's recommendation or of the design review board's failure to act, the Director shall approve a project as presented to the board if it is in compliance with the specific regulations of the applicable specific plan. If the project is not in

compliance with specific regulations in the specific plan and cannot be made to be so by imposition of conditions, the Director shall disapprove the project. The Director shall make findings consistent with the specific plan criteria for any approval or disapproval.

For sign approvals, the Director shall have authority to grant minor adjustments to permitted signs in accordance with the sign adjustment criteria and findings set forth in Section 11.5.7 E. Any requests for minor adjustments to permitted signs shall be filed in accordance with the application procedures set forth in this subsection.

In addition, if the Director requests changes or additional information, copies of all materials submitted in connection with the request shall be transmitted to the design review board for its information.

A copy of all decisions shall be forwarded to the applicant, the design review board, the councilmember(s) in whose district(s) the specific plan area is located, the Department of Building and Safety, and any interested parties who make a written request for notice.

Sec. 3. Subsection J of Section 19.01 of the Los Angeles Municipal Code is amended to read:

SEC. 19.01. FILING FEE - APPLICATIONS AND APPEALS.

J. SPECIFIC PLAN FEES.

1. Project Permit Compliance.

(a) An application fee of \$200.00 shall be charged for the following applications for projects located in the Alameda District, Central City West, Century City North, Colorado Boulevard, Foothill Boulevard Corridor, Girard Tract, Hollywoodland, Mount Washington/Glassell Park, Porter Ranch, Venice, Ventura/Cahuenga Boulevard Corridor and Warner Center Specific Plan areas:

(1) Single- and multiple-family dwellings, fewer than five dwelling units total on a project site;

(2) Projects, including additions, containing less than 15,000 square feet of non-residential floor area and generating 42 or fewer net new peak hour trips (A.M. or P.M., whichever is higher), as determined by the Department of Transportation; or

(3) Change of use which generates 42 or fewer net new peak hour trips (A.M. or P.M., whichever is higher), as determined by the Department of Transportation.

(b) Project Permit Compliance applications in the Alameda District, Central City West, Century City North, Colorado Boulevard, Foothill Boulevard Corridor, Girard Tract, Hollywoodland, Porter Ranch, Ventura/Cahuenga Boulevard Corridor and Warner Center Specific Plan areas which exceed the project thresholds specified in Subparagraphs (1) through (3) under Subdivision 1(a) of this subsection shall be charged a fee of \$743.00.

(c) For all other Project Plan Compliance applications, the application fee, if any, shall be the same fee as that charged by the applicable specific plan for the procedures commonly referred to in various specific plans as plan approvals, plot plan reviews; project approvals, project design approvals, project plan compliance, project plan reviews, project permits or project permit reviews.

2. Modification of a Project Permit Compliance. When an application is filed for a modification of a Project Plan Compliance decision and the modification is not required by a public agency, the fee shall be equal to one-half the application fee for a new Project Permit Compliance application. There shall be no application fee for a modification required by a public agency.

3. Project Permit Adjustment. The following fees shall apply to all specific plan areas:

(a) Applications for sign adjustments or for projects which do not exceed the project thresholds specified in Subparagraphs (1) through (3) under Subdivision 1(a) of this subsection shall be charged a fee of \$800.00.

(b) All other Project Permit Adjustment applications shall be charged a fee of \$1,500.00.

4. No fee shall be required in connection with an application, appeal or modification of a Project Permit Compliance for the following:

(a) Projects or other development activities specified by the applicable specific plan as exempt from specific plan regulations but which are nonetheless subject to Planning Department review; or

(b) Non-profit child care facilities, nursery schools and counseling and referral facilities. The non-profit status of these facilities shall be determined by the Director as described in Subdivision 4 of Subsection K of this section.

5. Specific Plan Exception. An application fee of \$2,409.00 shall be charged for the first block or portion of a block, and \$1,607.00 for each additional block or portion of a block.

6. Specific Plan Amendment. Applications requesting the City to initiate an amendment to a specific plan shall be charged a fee equal to that specified for zone or height district changes to achieve consistency with the General Plan, as provided in Section 19.03 A 1 or 19.03 A 4. The applicable fee shall be determined based upon the project size criteria set forth in one of those two fee categories which most closely corresponds with the project request.

7. Specific Plan Interpretation. Applications requesting an interpretation of a provision of a specific plan when the meaning of the regulations is not clear, either in general or as they apply to specific properties or situations, shall be charged the same fee as for decisions made pursuant to Section 12.21 A 2, set forth in Section 19.01 F.

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Sec. 4. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of AUG 08 2000.

J. MICHAEL CAREY, City Clerk

By *Amad Cortes*
Deputy

Approved AUG 11 2000

[Signature]
Mayor

Approved as to Form and Legality

7/27/00
JAMES K. HAHN, City Attorney

By *Claudia Culling*
Claudia Culling
Deputy City Attorney

Pursuant to Sec. 558(b)(2) of the City Charter, approval of this ordinance recommended for the City Planning Commission.....

July 27, 2000

See attached report

[Signature]
Director of Planning

File No. CPC #99-0435, CF #99-1800-593

(Publish4)