



City of Los Angeles
Department of City Planning



Nuisance Abatement

Department of City Planning

110262



An aerial photograph of a city street grid, showing yellowish-brown buildings and green spaces, serving as a background for the title.

Topics of Discussion

- History
- Goals of Nuisance Abatement (NA)
- Addressing Nuisance Problem
- Causes for Possible Enforcement/Revocation Action
- Enforcement Action
- Role of Planning Department
- Revocation Process

History

- Since the early 1990's, the Dept. of City Planning (DCP) has increasingly used its authority to mitigate and abate nuisance activity.
- City Council created the Citywide Nuisance Abatement Program (CNAP) in late 1990's in response to greater demand for services.
- The CNAP agencies-DCP, City Attorney (Safe Neighborhoods), Los Angeles Police Dept. (LAPD), and the Dept. of Building and Safety (LADBS)-partner together w/ the community to mitigate or eliminate nuisance activities.





Goals

- To be responsive to the needs of communities within the City's 15 Council Districts.
- To eliminate public nuisance impacts caused by a particular use which is operated in an improper manner.
- To alter a business's operations so it will no longer be a negative presence in the community, rather than close it.
- To design and implement a program for community leaders and residents using practical zoning tools which enforce existing land-use regulations and assist in the preservation and revitalization of communities.
- To further goals of the Citywide General Plan Framework which seeks to assure a healthful and safe living environment and improve the quality of life and opportunities for all residents and business owners.

Addressing Nuisance

- Use has a prior DCP approval and is not complying with conditions of the grant.
(e.g. Conditional Use, Variance, Zone Change)
- Use was "grandfathered" before City approval was required but now is a public nuisance.
(e.g. on-site liquor sales prior to 3/1/77)
- Any otherwise legally permitted use "by-right" but causing a public nuisance



Causes for Possible Enforcement

- Jeopardizes or adversely affects the public health, peace and safety of persons residing or working on the premises or the surrounding area.
- Has resulted in repeated nuisance activities thereby creating undue demand on public services.
- Adversely impacts nearby uses.
- Violates City, State, or Federal Regulations, Ordinances, or Statutes.
- Violates any condition imposed by a prior discretionary land use approval.



Enforcement Action

- DCP staff and CNAP agency review and investigate allegations, and provide recommendations to Chief ZA, who then determines if there is sufficient merit to set the matter for Public Hearing.
- ZA will impose conditions to mitigate the impact or eliminate the problem(s) of the land-use creating the nuisance.
- Continued disregard or evasion of imposed conditions by business operator/property owner will result in further review and additional enforcement measures leading to possible discontinuance of the use.

Role of Planning

- Chief Zoning Administrator based on staff assessment and CNAP agency input determines if abatement procedures should be initiated as supported by substantial documentation directly associated with the nuisance use and site.
- Zoning Administrator after noticed Public Hearing and acting on behalf of the Director of Planning issues a determination imposing corrective conditions to mitigate the activities or eliminate the problems causing the nuisance.
- Zoning Administrator may require the modification, discontinuance or revocation of any use or discretionary zoning approval.

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Process

- To initiate Nuisance Abatement/Revocation proceedings, CNAP agencies, City Departments, Council Offices, or Civic Groups are required to contact the office of Zoning Administration in writing, detailing:
 1. Name and address of site
 2. Nature of complaint
 3. Occurrence of problem
 4. Other useful information documenting problem

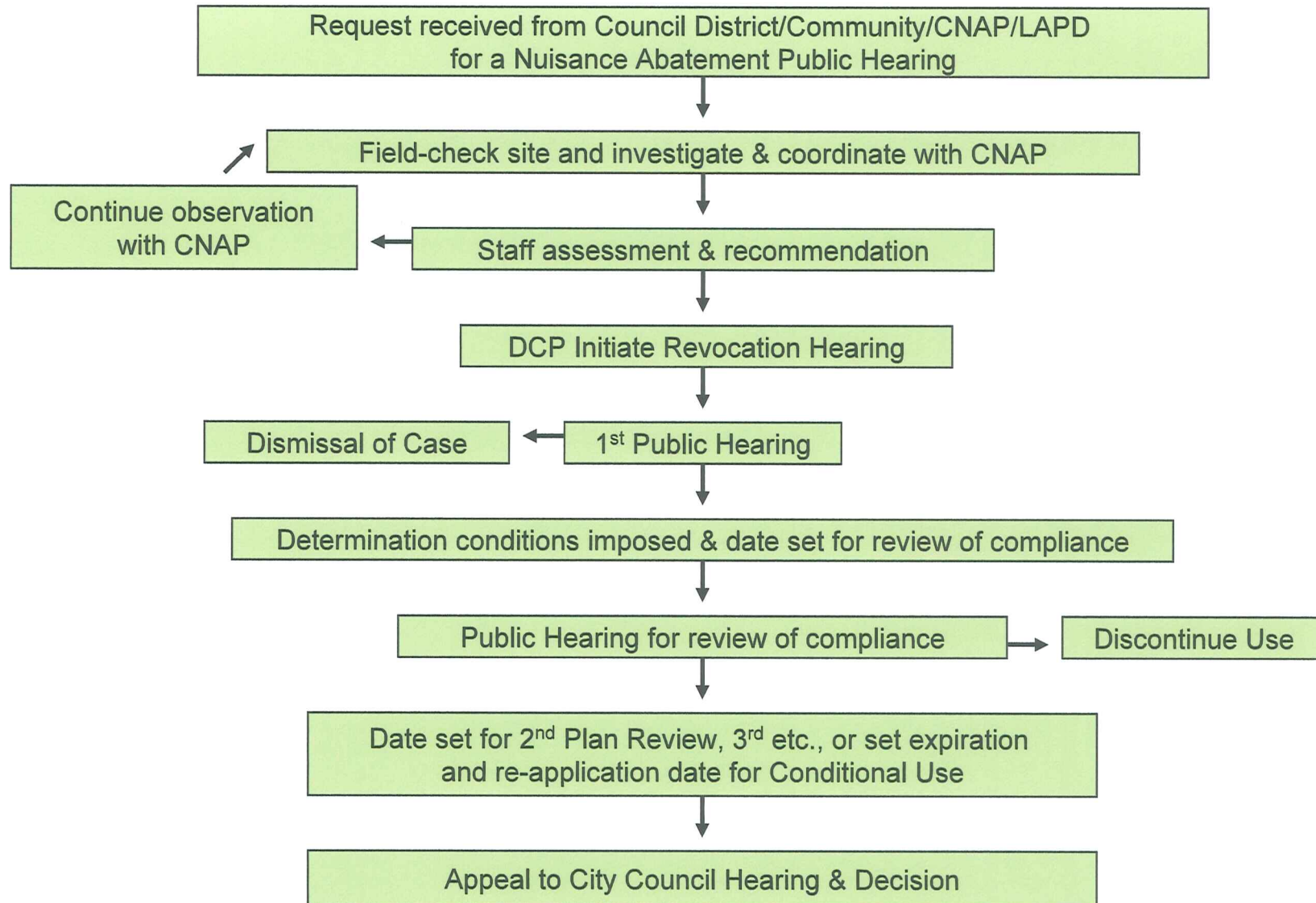


Summary

Under of LAMC Sec. 12.27.1 - Administrative Nuisance Abatement Proceedings,

Zoning Administrators are empowered to: protect the public peace, health and safety from any land-use which becomes a nuisance, by requiring the modification, discontinuance or revocation of any use or discretionary zoning approval.

Revocation Process (Nuisance Abatement)





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