

MOTION

According to the City's Zoning Code, there are certain types of uses that are "conditionally" appropriate in various areas of the City. These "conditional uses" are uses that may be made compatible with the surrounding community if additional requirements are placed on the projects through conditions of approval. Without such conditions, the City would be unable to find that a project's location, size, height, operations, or other significant features will be compatible with the surrounding neighborhood, the General Plan, or any applicable community plan. The City would also be unable to find that the project did not adversely affect health, welfare, or safety.

However, too often these conditions go overlooked because of the City's lack of resources to enforce its own conditions. Yesterday, the Los Angeles Times published an article, *In L.A., Conditions Placed on Developers Go Unheeded*, that spoke to the need for additional fees to cover the expense of allocating more staff to inspect and enforce the conditions of approval on the City's many projects. In other jurisdictions, such as Los Angeles County, conditions of approval specify the number of inspections required over the duration of the grant term necessary to ensure proper compliance with the conditions of approval. The conditions also obligate an applicant to cover the cost of such inspections. This approach ensures that the City has the resources it needs to enforce commitments made to the community, and helps to keep neighborhoods first.

I THEREFORE MOVE that the Council instruct the Planning Department to report back in 45 days on the best practices of other jurisdictions, including the County of Los Angeles, to ensure proper resource allocation for condition inspections and enforcement.

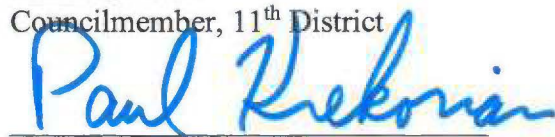
I FURTHER MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, and any other appropriate City department, bureau, or agency, to work cooperatively to propose a method by which inspection fees related to condition compliance are required and collected by the City prior to the release of any final approval of a project.

PRESENTED BY:


MIKE BONIN

Councilmember, 11th District

SECONDED BY:




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ORIGINAL