

Chapter 22.142 Enforcement Provisions

Sections:

- 22.142.010 Purpose
- 22.142.020 General Prohibitions
- 22.142.030 Violations
- 22.142.040 Public Nuisance
- 22.142.050 Infractions
- 22.142.060 Injunctions
- 22.142.070 Zoning Enforcement
Order and
Noncompliance Fee

22.142.010 Purpose

This Chapter establishes procedures for enforcement of the provisions of this Ordinance. These enforcement procedures are intended to assure due process of law in the abatement or correction of nuisances and violations of this Ordinance.

22.142.020 General Prohibitions

- A. No structure shall be moved into an area, erected, reconstructed, added to, enlarged, advertised on, structurally altered or maintained, and no structure or land shall be used for any purpose, except as specifically provided and allowed by this Ordinance.
- B. No person shall use or permit to be used any structure or land, nor shall any person erect, structurally alter or enlarge any structure, or advertise on any structure, except in accordance

Part 6 ENFORCEMENT PROCEDURES

22.60.320 Purpose.

This Part 6 establishes procedures for enforcement of the provisions of Title 22. These enforcement procedures are intended to assure due process of law in the abatement or correction of nuisances and violations of Title 22. (Ord. 85-0191 § 2 (part), 1985.)

22.60.330 General prohibitions.

A. No structure shall be moved into an area, erected, reconstructed, added to, enlarged, advertised on, structurally altered or maintained, and no structure or land shall be used for any purpose, except as specifically provided and allowed by this Title 22.

B. No person shall use or permit to be used any structure or land, nor shall any person erect, structurally alter or enlarge any structure, or advertise on any structure, except in accordance with the provisions of this Title 22.

<p>with the provisions of this Ordinance.</p> <p>C. No permit or entitlement may be issued or renewed for any use, construction, improvement or other purpose, unless specifically provided for or permitted by this Ordinance.</p> <p>22.142.030 Violations</p> <p>A. Every person violating any condition or provision either of this Ordinance, permit, or approval thereunder, is guilty of a misdemeanor, unless such violation is otherwise declared to be an infraction in Section 22.142.050 (Infractions). Each violation is a separate offense for each and every day during any portion of which the violation is committed.</p> <p>B. Each violation determined to be an infraction by this Ordinance shall be punishable by a fine of \$100.00 for the first violation. Subsequent violations of the same provision of this Ordinance shall be punishable by a fine of \$200.00 for the second violation and \$500.00 for the third violation in a 12-month period as provided by applicable law. The fourth and any further violations of the same provision of this Ordinance which are committed at any time within a 12-month period from the date of the commission of the first violation shall be deemed misdemeanors. The three infraction violations which are the basis for the fourth and any further violations being misdemeanors may be brought and tried together. The increased penalties set forth in this Section for</p>	<p>C. No permit or entitlement may be issued or renewed for any use, construction, improvement or other purpose unless specifically provided for, or permitted by, this Title 22. (Ord. 85-0191 § 2 (part), 1985.)</p> <p>22.60.340 Violations.</p> <p>A. Every person violating any condition or provision either of this Title 22, or of any permit, nonconforming use and structure review, zoning exception case, variance or amendment thereto, is guilty of a misdemeanor, unless such violation is otherwise declared to be an infraction in Section 22.60.360. Each violation is a separate offense for each and every day during any portion of which the violation is committed.</p> <p>B. Each violation determined to be an infraction by this title shall be punishable by a fine of \$100.00 for the first violation. Subsequent violations of the same provision of this title shall be punishable by a fine of \$200.00 for the second violation and \$500.00 for the third violation in a 12-month period as provided by applicable law. The fourth and any further violations of the same provision of this title which are committed at any time within a 12-month period from the date of the commission of the first violation shall be deemed misdemeanors, regardless of the dates of conviction of the first three violations. The three infraction violations which are the basis for the fourth and any further violations being misdemeanors may be brought and tried together. The increased penalties set forth in this section for subsequent violations shall be applicable whether said subsequent violations are brought and tried together with the underlying previous violations or separately</p>
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<p>subsequent violations shall be applicable whether said subsequent violations are brought and tried together with the underlying previous violations or separately from previous violations.</p>	<p>therefrom. (Ord. 94-0058 § 2, 1994: Ord. 85-0191 § 2 (part), 1985.)</p>
<p>22.142.040 Public Nuisance</p> <p>Any use of property contrary to the provisions of this Ordinance shall be, and the same is hereby declared to be unlawful and a public nuisance, and the authorized legal representative of the County may commence actions and proceedings for the abatement thereof, in the manner provided by law, and may take such other steps and may apply to any court having jurisdiction to grant such relief as will abate or remove such use and restrain and enjoin any person from using any property contrary to the provisions of this Ordinance.</p>	<p>22.60.350 Public nuisance.</p> <p>Any use of property contrary to the provisions of this title shall be, and the same is hereby declared to be unlawful and a public nuisance, and the authorized legal representative of the county may commence actions and proceedings for the abatement thereof, in the manner provided by law, and may take such other steps and may apply to any court having jurisdiction to grant such relief as will abate or remove such use and restrain and enjoin any person from using any property contrary to the provisions of this title. (Ord. 85-0191 § 2 (part), 1985.)</p>
<p>22.142.050 Infractions</p> <p>Violations of the provisions contained in the following list are deemed infractions:</p> <p>A. Automobile, truck or other motor vehicle repair conducted outside of an enclosed building.</p> <p>B. Commercial vehicles, as defined by California Vehicle Code, weighing more than 10,000 pounds unladen where parked or stored in violation of Section 22.16.040.J (Parking of Commercial Vehicles in Agricultural Zones) or Subsection B of Section 22.18.040 (Parking of Commercial Vehicles in Residential Zones).</p> <p>C. Inoperative vehicle parking or</p>	<p>22.60.360 Infractions.</p> <p>Violations of the provisions contained in the following list are deemed infractions:</p> <p>-- Automobile, truck or other motor vehicle repair conducted outside of an enclosed building.</p> <p>-- Commercial vehicles weighing more than 6,000 pounds unladen where parked or stored in violation of Section 22.16.020.</p> <p>-- Inoperative vehicle parking or storage.</p>

<p>storage.</p> <p>D. Keeping or parking of vehicles in violation of Subsection K of Section 22.16.040 (Keeping or Parking of Vehicles) or Subsection C of Section 22.18.040 (Keeping or Parking of Vehicles).</p> <p>E. Outside display and/or sales, except when authorized by and in accordance with a Special Event Permit.</p> <p>F. Signs prohibited by Section 22.94.040 (Prohibited Signs).</p> <p>22.142.060 Injunction</p> <p>The provisions of this Ordinance may also be enforced by injunction issued by any court having jurisdiction over the owner or occupant of any real property affected by such violation or prospective violation.</p> <p>22.142.070 Zoning Enforcement and Noncompliance Fee</p> <p>A. Final Zoning Enforcement Order.</p>	<p>-- Keeping or parking of vehicles in violation of Section 22.20.025 or Section 22.24.035.</p> <p>-- Outside display and/or sales, except when authorized by and in accordance with a temporary use permit.</p> <p>-- Signs prohibited by Sections 22.52.850 and 22.52.990. (Ord. 99-0071 § 14, 1999; Ord. 91-0065 § 8, 1991; Ord. 85-0191 § 2 (part), 1985.)</p> <p>22.60.370 Injunction.</p> <p>The provisions of this Title may also be enforced by injunction issued by any court having jurisdiction upon the suit of the owner or occupant of any real property affected by such violation or prospective violation. (Ord. 85-0191 § 2 (part), 1985.)</p> <p>22.60.380 Enforcement. (Deleted by enforcement, ok'd by Director and CC.)</p> <p>The planning director, or any representative thereof designated by the director, is hereby authorized to arrest any person without a warrant whenever the director, or his representative, has reasonable cause to believe that the person to be arrested has committed a violation of this title in his presence. (Ord. 85-0191 § 2 (part), 1985.)</p> <p>22.60.390 Zoning enforcement order and noncompliance fee.*</p>
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<p>1. In the course of enforcing any provision of this Ordinance, the Director shall have the authority to issue a final zoning enforcement order concerning any property not in compliance with the provisions of this Ordinance. Such order shall state, in not less than 14-point type in substantially the following form, that "Failure of the owner or person in charge of the premises to comply with this order within 15 days after the compliance date specified herein, or any written extension thereof, shall subject the violator to a noncompliance fee in the amount listed in the filing fee schedule, unless an appeal from this order is received within 15 days after the compliance date. Such appeal shall comply with Section 22.142.080.C of the Los Angeles County Code." The Director's issuance of a final zoning enforcement order shall be final unless an appeal from the order has been received.</p> <p>2. Service of a final zoning enforcement order shall be upon:</p> <p>a. The person in real or apparent charge and control of the premises involved,</p> <p>b. The record owner,</p>	<p>A. Final Zoning Enforcement Order.</p> <p>1. In the course of enforcing any provision of this title, the planning director shall have the authority to issue a final zoning enforcement order concerning any property not in compliance with the provisions of this title. Such order shall state, in not less than 14 point type in substantially the following form, that "Failure of the owner or person in charge of the premises to comply with this order within fifteen (15) days after the compliance date specified herein, or any written extension thereof, shall subject the violator to a noncompliance fee in the amount of \$676.00, unless an appeal from this order is filed within fifteen (15) days after the compliance date. Such appeal must comply with Section 22.60.390 C of the Los Angeles County Code." The director's issuance of a final zoning enforcement order shall be final unless an appeal from the order has been filed as provided in this section.</p> <p>2. Service of a final zoning enforcement order shall be upon</p> <p>(a) the person in real or apparent charge and control of the premises involved,</p> <p>(b) the record owner,</p>
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<p>c. The owner or holder of any lease of record, or</p> <p>d. The record owner of any interest in or to the land or any building or structure located thereon.</p> <p>3. Service shall be by personal delivery or by registered or certified mail, return receipt requested, at the Director's election.</p> <p>4. In the event the Director, after reasonable effort, is unable to serve the order as specified above, proper service shall be by posting a copy of the order on the premises. The date of service is deemed to be the date of mailing, personal delivery or posting, as applicable.</p>	<p>(c) the owner or holder of any lease of record, or</p> <p>(d) the record owner of any interest in or to the land or any building or structure located thereon.</p> <p>Service shall be by personal delivery or by registered or certified mail, return receipt requested, at the director's election.</p> <p>In the event the director, after reasonable effort, is unable to serve the order as specified above, proper service shall be by posting a copy of the order on the premises. The date of service is deemed to be the date of mailing, personal delivery or posting, as applicable.</p>
<p>B. Noncompliance Fee.</p> <p>1. If a final zoning enforcement order has not been complied with within 15 days following the compliance date specified in the order, or any written extension thereof, and no appeal of such order has been timely received as provided in this Section, the Director shall have the authority to impose and collect a noncompliance fee.</p> <p>2. The purpose of the noncompliance fee is to recover costs of zoning</p>	<p>B. Noncompliance Fee.</p> <p>1. If a final zoning enforcement order has not been complied with within 15 days following the compliance date specified in the order, or any written extension thereof, and no appeal of such order has been timely filed as provided in this section, the director shall have the authority to impose and collect a noncompliance fee in the amount of \$676.00. The fee shall be subject to annual review and adjustment as provided in Section 22.60.100.</p> <p>2. The purpose of the noncompliance fee is to recover costs of zoning enforcement inspections and other efforts by the director</p>

<p>enforcement inspections and other efforts by the Director to secure substantial compliance with a zoning enforcement order. Not more than one such fee shall be collected for failure to comply with a zoning enforcement order. The noncompliance fee shall be in addition to any other fees required by the County Code.</p> <p>3. The determination of the Director to impose and collect a noncompliance fee shall be final, and it shall not be subject to further administrative appeal.</p> <p>C. Appeal of Final Zoning Enforcement Order.</p> <p>1. Any person upon whom a final zoning enforcement order has been served may appeal the order to the Hearing Officer within the time specified in Subsection A, above. Such appeal shall contain any written evidence that the appellant wishes to be considered in connection with the appeal. If applicable, the appeal shall state that said person has applied for the appropriate permit or other administrative approval pursuant to this Ordinance.</p> <p>2. The Hearing Officer shall consider such appeal within 45 days from the date that the appeal is received and shall notify the appellant of the</p>	<p>to secure substantial compliance with a zoning enforcement order. Not more than one such fee shall be collected for failure to comply with a zoning enforcement order. The noncompliance fee shall be in addition to any other fees required by the county code.</p> <p>3. The determination of the director to impose and collect a zoning noncompliance fee shall be final, and it shall not be subject to further administrative appeal.</p> <p>C. Appeal of Final Zoning Enforcement Order.</p> <p>1. Any person upon whom a final zoning enforcement order has been served may appeal the order to the hearing officer within the time specified in subsection A of this section above. Such appeal shall contain any written evidence that the appellant wishes to be considered in connection with the appeal. If applicable, the appeal shall state that said person has applied for the appropriate permit or other administrative approval pursuant to this title.</p> <p>2. The hearing officer shall consider such appeal within 45 days from the date that the appeal is filed and shall notify the appellant of the decision within a reasonable period of time thereafter in the manner described in</p>
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<p>decision within a reasonable period of time thereafter in the manner described in this Section for service of a final zoning enforcement order. The Hearing Officer may sustain, rescind or modify the final zoning enforcement order. The decision of the Hearing Officer shall be final and effective on the date of decision, and it shall not be subject to further administrative appeal.</p>	<p>this section for service of a final zoning enforcement order. The hearing officer may sustain, rescind or modify the final zoning enforcement order. The decision of the hearing officer shall be final and effective on the date of decision, and it shall not be subject to further administrative appeal.</p>
<p>D. Imposition and Collection of the Noncompliance Fee.</p> <p>1. The Director shall notify the person against whom a noncompliance fee is imposed in the manner described in this Section for service of a final zoning enforcement order. The Director may waive the imposition and collection of a noncompliance fee where the Director determines such waiver to be in the public interest.</p> <p>2. The person against whom the noncompliance fee is imposed shall remit the fee to the Director within 15 days after the date of service of said notice.</p>	<p>D. Imposition and Collection of the Noncompliance Fee.</p> <p>1. The director shall notify the person against whom a noncompliance fee is imposed in the manner described in this section for service of a final zoning enforcement order. The director may waive the imposition and collection of a noncompliance fee where the director determines such waiver to be in the public interest.</p> <p>2. The person against whom the noncompliance fee is imposed shall remit the fee to the director within 15 days after the date of service of said notice.</p>
<p>E. Penalty After Second Notice of Noncompliance Fee. If the person against whom a noncompliance fee has been imposed fails to pay such fee within 15 days of notification as provided above, the Director may</p>	<p>E. Penalty After Second Notice of Noncompliance Fee. If the person against whom a noncompliance fee has been imposed fails to pay such fee within 15 days of notification as provided above, the director may send a second notice of</p>

<p>send a second notice of noncompliance fee in the manner described in this Section for service of a final zoning enforcement order. If the fee has not been paid within 15 days after the date of service of the second notice of noncompliance fee, the County shall withhold the issuance of a building permit or other approval to such person until the noncompliance fee has been paid in full. An administrative penalty assessment equal to two times the noncompliance fee and a collection fee equal to 50 percent of the noncompliance fee shall also be imposed if the fee is not paid within 15 days after the date of service of the second notice. The administrative penalty assessment and collection fee, after notice, shall become part of the debt immediately due and owing to the County. The County thereafter shall have the right to institute legal action in any court of competent jurisdiction to collect the amount of the noncompliance fee, administrative penalty assessment and collection fee. In any suit brought by the County to enforce and collect the noncompliance fee, administrative penalty assessment and collection fee, the County shall be entitled to collect all costs and fees incurred in such proceedings.</p>	<p>noncompliance fee in the manner described in this section for service of a final zoning enforcement order. If the fee has not been paid within 15 days after the date of service of the second notice of noncompliance fee, the county shall withhold the issuance of a building permit or other approval to such person until the noncompliance fee has been paid in full. An administrative penalty assessment equal to two times the noncompliance fee and a collection fee equal to 50 percent of the noncompliance fee shall also be imposed if the fee is not paid within 15 days after the date of service of the second notice. The administrative penalty assessment and collection fee, after notice, shall become part of the debt immediately due and owing to the county. The county thereafter shall have the right to institute legal action in any court of competent jurisdiction to collect the amount of the noncompliance fee, administrative penalty assessment and collection fee. In any suit brought by the county to enforce and collect the noncompliance fee, administrative penalty assessment and collection fee, the county shall be entitled to collect all costs and fees incurred in such proceedings. (Ord. 99-0051 § 2, 1999.)</p> <p>*Editor's note: Fee changes in this section include changes made by the director of planning due to increases in the Consumer Price Index and are effective March 1, 2011.</p>
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Chapter 22.144 Zone Changes and Amendments

Sections:

- 22.144.010 Purpose
- 22.144.020 Initiation
- 22.144.030 Review Authority and Related Procedures
- 22.144.040 Application Filing, Fees and Project Review
- 22.144.050 Project Notice and Required Actions
- 22.144.060 Notice of Action
- 22.144.070 Additional Requirements for Zone Changes
- 22.144.080 Additional Requirements for Amendments

22.144.010 Purpose

This Chapter provides procedures and criteria for zone changes and amendments of the General Plan, Zoning Maps, and this Ordinance, whenever the Board determines that public convenience, general welfare, and/or zoning practice justify a zone change or an amendment. All such zone changes and amendments shall be made pursuant to the provisions of this Ordinance and Title 7 (Planning and Land Use) of the State Government Code.

22.144.020 Initiation

- A. **Initiation by the County.** A zone change or amendment to the General Plan, Zoning Map or this Ordinance may be initiated by the following Review Authorities:

22.16.070 Purpose and procedures generally--Statutory authority.

Zone changes and amendments may be initiated to change zones, to alter the boundaries of districts, to impose regulations not previously imposed and to remove or modify any regulation already imposed whenever the board of supervisors finds that the public convenience, the general welfare or good zoning practice justifies such action. All such zone changes and amendments shall be made pursuant to the provisions of this Title 22 and Title 7 of the Government Code. (Ord. 1494 Ch. 3 Art. 2 § 306, 1927.)

22.16.080 Initiation of hearings--Conditions.

Hearings on zone changes or amendments may be initiated:

- A. If the board of supervisors instructs the commission or the director to set the matter

<p>1. Board. The Board may instruct the Director or Commission to initiate an amendment; or</p> <p>2. Commission. The Commission may initiate an amendment.</p> <p>B. Initiation by the Applicant. In the case of the General Plan, or Zoning Maps, an amendment may also be initiated by the filing of a Type V application.</p> <p>C. Urgency Ordinance. In the case of the Zoning Ordinance, the Board may also adopt an urgency measure as an interim ordinance in compliance with Section 65858 of the State Government Code.</p> <p>D. Timing of General Plan Amendments. Each mandatory element of the General Plan may be amended up to four times in a single calendar year in compliance with Section 65358 of the State Government Code.</p>	<p>for a hearing, report and recommendation; or</p> <p>B. Upon the initiative of the commission; or</p> <p>C. In the case of a zone change, upon the filing of a petition as provided in Sections 22.16.090, 22.16.100, 22.16.110, and 22.16.120 of this Part 2. (Ord. 2008-0043 § 3, 2008: Ord. 1494 Ch. 3 Art. 2 § 307, 1927.)</p>
<p>22.144.030 Review Authority and Related Procedures</p> <p>Zone changes and amendments shall be approved or denied by the Board in compliance with Table 22.114.020: Review Authority, and any additional requirements or review criteria for a Type V application and amendment review established in this Ordinance.</p> <p>22.144.040 Application Filing, Fees and Project Review</p> <p>Applications for a zone change or amendment shall be in compliance with Chapter 22.126 (Type V Applications –</p>	<p>This is in common procedures.</p>

<p>Discretionary).</p> <p>22.144.050 Project Notice and Required Actions</p> <p>A. Public Hearings and Notice Required. The Department shall provide notice of the public hearing in compliance with Section 22.126.050 (Project Notice and Required Actions).</p> <p>B. Additional Area May be Included. Where an application is filed requesting an amendment, the Director or Commission may elect to expand the boundaries of the area to be studied when, in the opinion of the Director or Commission, good zoning practice justifies the proposed expansion.</p> <p>22.144.060 Notice of Action</p> <p>A. Commission Recommendation. A recommendation by the Commission relative to a zone change or amendment shall be by resolution carried by the affirmative vote of not less than three of its members. Such recommendation is final and conclusive and may not be reconsidered by the Commission except upon a referral by the Board.</p> <p>B. Notice of Commission Action. The Commission shall serve a notice of its action in the manner prescribed by Section 22.114.140 (Notice of Action and Findings).</p>	<p>22.16.130 Zone change--Additional area included when.</p> <p>Where a petition is filed requesting a change of zone the director or the commission may elect to include additional property within the boundaries of the area to be studied when, in his/its opinion, good zoning practice justifies such action. (Ord. 1494 Ch. 3 Art. 2 § 308.8, 1927.)</p> <p>22.16.180 Commission recommendation--Resolution requirements.</p> <p>A recommendation by the commission relative to a zone change or amendment shall lie by resolution carried by the affirmative vote of not less than three of its members. Such recommendation is final and conclusive and may not be reconsidered by the commission except upon a referral by</p>
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<p>C. Public Hearing by Board. After receipt of the Commission's recommendation, the Board shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure set forth in Section 22.114.090 (Public Hearing Notice); provided, however:</p> <ol style="list-style-type: none">1. That if the Commission has recommended against the approval of an amendment other than a zone change, the Board shall not be required to take further action; and2. In case of a change of zone where the Commission has recommended denial, the Board shall not be required to take further action, and the action of the Commission shall become final unless an interested party requests a public hearing by the Board by filing a written request with the Executive Officer-Clerk of the Board within five days after the Commission files its recommendations with the Board. <p>D. Board Action on Commission Recommendations. The Board may</p>	<p>the board of supervisors. (Ord. 1494 Ch. 3 Art. 2 § 309.7, 1927.)</p> <p>22.16.190 Notice of commission action. The commission shall serve a notice of its action in the manner prescribed by Section 22.60.190. (Ord. 1494 Ch. 3 Art. 2 § 309.9, 1927.)</p> <p>22.16.200 Public hearing by board-- Procedures generally--Commission actions final when. After receipt of the commission's recommendation, the board of supervisors shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure set forth in Part 4 of Chapter 22.60; provided, however, that if the planning commission has recommended against the approval of an amendment other than a zone change, the board of supervisors shall not be required to take further action. In case of a change of zone where the commission has recommended denial, the action of the commission shall become final unless an interested party requests a hearing by the board of supervisors by filing a written request with the executive officer-clerk of the board within five days after the commission files its recommendations with the board of supervisors. (Ord. 1494 Ch. 3 Art. 2 § 310, 1927.)</p> <p>22.16.210 Board approval, modification or disapproval of commission recommendations.</p>
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<p>approve, modify or reject the recommendation of the Commission involving a zone change or amendment, provided:</p> <ol style="list-style-type: none">1. Any modification of the proposed zone change or amendment by the Board not previously considered by the Commission during its hearing, shall first be referred to the Commission for report and recommendation, but the Commission shall not be required to hold a public hearing; and2. Failure of the Commission to report within 40 days after the reference, or such longer period as may be designated by the Board shall be deemed to be approval of the proposed modification. <p>E. Public Hearing by Board—Notice of Action Taken. The Board shall serve a notice of its action in the manner prescribed by Section 22.114.140 (Notice of Action and Findings).</p> <p>22.144.070 Additional Requirements for Zone Changes</p> <p>A. Principles and Standards. In addition to the information required in the application by Section 22.114.110 (Findings and Decision), the applicant shall substantiate to the satisfaction of the Commission the following facts:</p>	<p>The board of supervisors may approve, modify or disapprove the recommendation of the commission involving a zone change or amendment, provided that</p> <p>any modification of the proposed zone change or amendment by the board of supervisors not previously considered by the commission during its hearing, shall first be referred to the commission for report and recommendation, but the commission shall not be required to hold a public hearing thereon.</p> <p>Failure of the commission to report within 40 days after the reference, or such longer period as may be designated by the board of supervisors shall be deemed to be approval of the proposed modification. (Ord. 85-0009 § 5, 1985.)</p> <p>22.16.220 Public hearing by board--Notice of action taken.</p> <p>The board of supervisors shall serve a notice of its action in the manner prescribed by Section 22.60.190. (Ord. 1494 Ch. 3 Art. 2 § 310.5, 1927.)</p> <p>22.16.150 Proposed zone change--Principles for consideration.</p> <p>A. In making its recommendation relative to a proposed change of zone, the commission shall consider the following principles and standards:</p>
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<p>1. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration;</p> <p>2. That a need for the proposed zone classification exists within such area or district;</p> <p>3. That the particular property under consideration is a proper location for said zone classification within such area or district;</p> <p>4. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice; and</p> <p>5. That the proposed zone change is consistent with the adopted general plan for the area.</p> <p>B. Decision. The Commission shall recommend approval or denial where the information submitted by the applicant and/or presented at public hearings substantiates or fails to substantiate such findings to the satisfaction of the Commission.</p> <p>C. Water Supply Standards. In addition to the principles and standards enumerated in Subsection A, above, the Review Authority, in determining its recommendation for a change of zone, shall consider whether or not the change of zone under</p>	<p>1. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and</p> <p>2. That a need for the proposed zone classification exists within such area or district; and</p> <p>3. That the particular property under consideration is a proper location for said zone classification within such area or district; and</p> <p>4. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice; and</p> <p>5. That the proposed zone change is consistent with the adopted general plan for the area.</p> <p>B. The commission shall recommend approval or denial where the information submitted by the applicant and/or presented at public hearings substantiates or fails to substantiate such findings to the satisfaction of the commission. (Ord. 85-0009 § 3, 1985; Ord. 1494 Ch. 3 Art. 2 § 309.1, 1927.)</p> <p>22.16.160 Proposed zone change--Water supply standards.</p> <p>In addition to the principles and standards enumerated in Section 22.16.150, the commission, in determining its recommendation for a change of zone, shall consider whether or not the change of zone</p>
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<p>consideration, if adopted, will result in a need for a greater water supply for adequate fire protection and, if so, what are the existing and proposed sources of such an adequate water supply. The Commission may request that the Forester and Fire Warden or Director of Public Works, or both, supply it with all facts, opinions, suggestions and advice which may be material to reaching a decision on any or all matters mentioned in this Section.</p>	<p>under consideration, if adopted, will result in a need for a greater water supply for adequate fire protection and, if so, what are the existing and proposed sources of such an adequate water supply. The commission may request that the forester and fire warden or county engineer, or both, supply it with all facts, opinions, suggestions and advice which may be material to reaching a decision on any or all matters mentioned in this section. (Ord. 1494 Ch. 3 Art. 2 § 309.3, 1927.)</p>
<p>22.144.080 Additional Requirements for Amendments</p> <p>A. Principles and Standards for Amendments. In addition to the information required in the petition by Section 22.144.040 (Application Filing, Fees, and Project Review), the applicant shall substantiate to the satisfaction of the Commission the following facts for a proposed amendment other than a zone change:</p> <ol style="list-style-type: none">1. The amendment is consistent with the adjacent area, if applicable;2. The amendment is consistent with the principles of the general plan;3. Approval of the amendment will be in the interest of public health, safety and general welfare and in conformity with good zoning practice; and4. The amendment is consistent	<p>22.16.170 Amendments—Conditions for approval.</p> <p>In making its recommendation relative to a proposed amendment other than a zone change, the commission may recommend approval where the information presented at public hearing shows that such amendment is consistent with the general plan and is necessary to implement the general plan and/or that the public convenience, the general welfare or good zoning practice justifies such action. (Ord. 85-0009 § 4, 1985; Ord. 1494 Ch. 3 Art. 2 § 309.5, 1927.)</p>

<p>with other applicable provisions of this Ordinance.</p> <p>B. Findings. In making its recommendation relative to a proposed amendment other than a zone change, the Commission may recommend approval where the information presented at public hearing shows that such amendment is consistent with the general plan and is necessary to implement the general plan and/or that the public convenience, the general welfare or good zoning practice justifies such action.</p>	<p><i>DELETED:</i></p> <p><i>22.16.090 Petition for zone change--Filing.</i></p> <p><i>Any person owning or having such other interest in property as specified in subsection B2 of Section 22.16.100 may file a petition for a change of zone with the director, except that a person may not file, and the director shall not accept a petition which is the same as, or substantially the same as, a petition upon which final action has been taken either by the commission or by the board of supervisors within one year prior thereto. (Ord. 1494 Ch. 3 Art. 2 § 308, 1927.)</i></p> <p><i>22.16.100 Petition for zone change--Contents.</i></p> <p><i>A. A petition for a change of zone shall contain the following information and such other information as is requested by the director.</i></p> <p><i>B. The director may reject any petition that does not supply the information requested herein:</i></p> <ol style="list-style-type: none"><i>1. Name and address of the applicant;</i><i>2. Evidence that the applicant:</i><ol style="list-style-type: none"><i>a. Is an owner of all or a portion of the property involved, or</i><i>b. Has written permission of an owner of all or a portion of the property involved to make such</i>
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	<p><i>application, or</i></p> <p><i>c. Is or will be the plaintiff in an action in eminent domain to acquire the premises involved, or any portion thereof, or</i></p> <p><i>d. In the case of a public agency, is negotiating to acquire a portion of the premises involved;</i></p> <p><i>3. Location of subject property (address or vicinity);</i></p> <p><i>4. Legal description of the property, including a statement of total area involved;</i></p> <p><i>5. Zone or zones requested;</i></p> <p><i>6. With each petition the applicant shall also file:</i></p> <p><i>a. Maps in the number prescribed and drawn to a scale specified by the director, showing the location of all property included in the request for action, the location of all highways, streets, alleys, and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the parcel of land described in the petition.</i></p> <p><i>b. One copy of the said map shall indicate the uses established on every lot or parcel of land shown within the said 500-foot radius,</i></p> <p><i>c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject property and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land described in the petition. One copy of the map shall indicate the ownership of said lots or parcels of land;</i></p> <p><i>7. Indicate the conditions which warrant the change of zone;</i></p> <p><i>8. If the change of zone as requested will permit any uses prohibited by the existing zoning, will such change of zone result in a need for a greater water supply for adequate fire protection and what are the existing proposed sources of such an adequate water supply;</i></p> <p><i>9. Such other information as the director may require.</i></p>
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	<p><i>C. The accuracy of all information, maps and lists submitted shall be the responsibility of the applicant. (Ord. 90-0134 § 2, 1990; Ord. 1494 Ch. 3 Art. 2 § 308.3, 1927.)</i></p> <p><i>22.16.110 Zone change--Burden of proof.</i></p> <p><i>In addition to the information required in the petition by Section 22.16.100, the applicant shall substantiate to the satisfaction of the commission the following facts:</i></p> <p><i>A. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and</i></p> <p><i>B. That a need for the proposed zone classification exists within such area or district; and</i></p> <p><i>C. That the particular property under consideration is a proper location for said zone classification within such area or district: and</i></p> <p><i>D. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. (Ord. 1494 Ch. 3 Art. 2 § 308.5, 1927.)</i></p> <p><i>22.16.120 Petition for zone change--Fee.</i></p> <p><i>Each petition for a change of zone shall be accompanied by the filing fee required by Section 22.60.100. (Ord. 1494 Ch. 3 Art. 2 § 308.7, 1927.)</i></p> <p><i>22.16.140 Public hearing by commission--Requirements.</i></p> <p><i>In all cases where a zone change or amendment is initiated, the commission shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure provided by Part 4 of Chapter 22.60. (Ord. 1494 Ch. 3 Art. 2 § 309, 1927.)</i></p>
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Chapter 22.146 Development Agreements

Sections:

- 22.146.010 Purpose and Interpreting Provisions
- 22.146.020 Initiation of Development Agreement
- 22.146.030 Application
- 22.146.040 Content of Development Agreement
- 22.146.050 Application Filing, Processing, and Review
- 22.146.060 Execution and Recordation
- 22.146.070 Subsequently Enacted State and Federal Laws
- 22.146.080 Coordination of Hearings
- 22.146.090 Enforcement
- 22.146.100 Amendment and Cancellation of Development Agreements
- 22.146.110 Periodic Review
- 22.146.120 Applicability to Areas Where Local Coastal Program is Required
- 22.146.130 Effect of Development Agreements
- 22.146.140 Approved Development Agreements

22.146.010 Purpose and Interpreting Provisions

This Chapter provides procedures, requirements for consideration of development

Part 4 DEVELOPMENT AGREEMENTS

22.16.240 Intent and authority.

This Part 4 is established to provide procedures and requirements for consideration

<p>agreements, implementing, amending and enforcing development agreements.</p> <p>A. Intent of Agreement. A development agreement is a contract between the County and an applicant for a development project, in compliance with Chapter 4, Article 2.5 (Development Agreements) in Title 7, Division 1 (Planning and Land Use) of the State Government Code . It is intended to assure to an applicant that an approved project may proceed, subject to the policies, rules, regulations, and conditions of approval applicable to the project at the time of approval, regardless of any changes to County policies, rules, and regulations after project approval. In return, the County is provided assurance that the project would advance important Countywide goals and policies that have been officially recognized by the Board, and provide the County with significant, tangible benefits beyond those that may be required by the County through normal review procedures and project conditions of approval that would otherwise apply.</p> <p>B. Interpreting Provisions.</p> <p>1. In interpreting the provisions of any development agreement entered into compliance with this Chapter, those provisions shall be read to be consistent with the language of this Chapter; Chapter 4, Article 2.5, in Title 7, Division 1 of the State Government Code; and the</p>	<p>of development agreements for the purposes specified in and as authorized by Article 2.5, Chapter 4, Title 7 of the Government Code.</p> <p>The regional planning commission may recommend and the board of supervisors may enter into a development agreement for the development of real property with any person having a legal or equitable interest in such property as provided in this part. (Ord. 82-0173 § 1 (part), 1982.)</p>
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<p>agreement itself.</p> <p>2. Should any apparent discrepancies between the meanings of these documents arise, reference shall be made to the following documents, and in the following order:</p> <p>a. The plain terms of the development agreement itself;</p> <p>b. The provisions of this Chapter; and</p> <p>c. The provisions of Chapter 4, Article 2.5, in Title 7, Division 1 of the State Government Code.</p> <p>22.146.020 Initiation of Development Agreement</p> <p>Where a development agreement is initiated, the Commission shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure provided in Chapter 22.114 (Common Procedures). Hearing on a development agreement may be initiated by:</p> <p>A. Board. If the Board instructs the Commission or the Director to set the matter for a public hearing, report, and recommendation;</p> <p>B. Commission. Upon the initiative of the Commission; or</p> <p>C. Filing of an Application. Upon the filing of an application for a development agreement in compliance with Section 22.146.040</p>	<p>22.16.250 Initiation of hearings.</p> <p>Hearings on a development agreement may be initiated:</p> <p>A. If the board of supervisors instructs the commission or the director to set the matter for a hearing, report and recommendation; or</p> <p>B. Upon the initiative of the commission; or</p> <p>C. Upon the filing of an application as provided in Sections 22.16.260, 22.16.270, 22.16.280, and 22.16.290 of this part. (Ord. 2008-0043 § 4, 2008: Ord. 82-0173 § 1 (part), 1982.)</p>
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<p>(Application).</p> <p>22.146.030 Hearing.</p> <p>In all cases where a proposed development agreement is initiated, the Commission shall hold a public hearing and shall give a notice of such public hearing pursuant to the procedure provided in Chapter 22.114 (Common Procedures).</p> <p>22.146.040 Application</p> <p>A. Filing. Any person having a legal or equitable interest in real property may file a Type V application with the Director to enter into a development agreement.</p> <p>B. Application Submission. An application for a development agreement shall comply with 22.114.210 (Resubmission of Application), except as otherwise provided in Section 22.146.110 (Amendment and Cancellation of Development Agreements).</p> <p>22.146.050 Content of Development Agreement</p> <p>A. Mandatory Contents. A development agreement shall contain the applicable provisions in compliance with the State Government Code including:</p> <ol style="list-style-type: none">1. The duration of the agreement, including a specified termination date if appropriate;	<p>22.16.300 Commission hearing.</p> <p>In all cases where a proposed development agreement is initiated, the commission shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure provided in Part 4 of Chapter 22.60. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.310 Findings and decision.</p> <p>A. The commission shall recommend approval and the board of supervisors shall approve an application for a development agreement where it finds that the information presented by the applicant and/or obtained at public hearing substantiates that the burden of proof set forth in Section 22.16.280 has been met. In addition, the commission and board of supervisors shall also find that the proposed development agreement complies with the terms, conditions, restrictions and requirements of Section 22.16.320.</p> <p>B. The commission shall recommend denial where the information submitted and/or obtained at public hearing fails to substantiate such findings to the satisfaction of the commission. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.320 Required terms, conditions, restrictions and requirements.</p> <p>A. Every development agreement entered into by the board of supervisors shall include the following terms, conditions, restrictions and requirements:</p> <ol style="list-style-type: none">1. The duration of the agreement, including a specified termination date if appropriate; and
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<p>2. The uses to be permitted on the property;</p> <p>3. The density or intensity of use permitted;</p> <p>4. The minimum height, size and location of buildings permitted;</p> <p>5. The reservation or dedication of land for public purposes to be accomplished, if any; and</p> <p>6. The time schedule established for periodic review as required by Section 22.146.120 (Periodic Review);</p> <p>Such terms, conditions, restrictions or requirements shall not be contrary to zoning, subdivision or other ordinances, laws or regulations applicable to the proposed development.</p> <p>B. Permissive Contents. A development agreement may contain the applicable provisions in compliance with State Government Code including:</p> <p>1. The requirement of development schedules providing that construction of the proposed development as a total project or in phases be initiated or completed within</p>	<p>2. The uses to be permitted on the property; and</p> <p>3. The density or intensity of use permitted; and</p> <p>4. The minimum height, size and location of buildings permitted; and</p> <p>5. The reservation or dedication of land for public purposes to be accomplished, if any;</p> <p>6. The time schedule established for periodic review as required by Section 22.16.460.</p> <p>B. Such terms, conditions, restrictions or requirements shall not be contrary to zoning, subdivision or other ordinances, laws or regulations applicable to the proposed development. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.330 Other terms, conditions, restrictions and requirements.</p> <p>A development agreement may also include additional terms, conditions, restrictions and requirements for subsequent discretionary actions in addition to those provided in Section 22.16.320, provided that such terms, conditions, restrictions and requirements do not prevent development of the lot or parcel of land included in such agreement for the uses and to the density or intensity of development set forth in the agreement, including but not limited to:</p> <p>A. The requirement of development schedules providing that construction of the proposed development as a total project or in phases be initiated and/or completed within specified time periods;</p>
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<p>specified time periods;</p> <p>2. The construction of public facilities required in conjunction with such development, including but not limited to vehicular and pedestrian rights-of-way, drainage and flood-control facilities, parks and other recreational facilities, and sewers and sewage treatment facilities;</p> <p>3. The prohibition of one or more uses normally listed as a use subject to application in the base zone where placed;</p> <p>4. The limitation of future development or requirement of specified conditions under which further development not included in the agreement may occur;</p> <p>5. The requirement of a faithful performance bond where deemed necessary to, and in an amount deemed sufficient to guarantee the faithful performance of specified terms, conditions, restrictions and/or requirements of the agreement. In lieu of the required bond, the applicant may deposit with the Executive Officer-Clerk of the Board and assign to the county, certificates of deposit or savings and loan certificates or shares equal in amount to the same conditions as set forth herein.</p>	<p>B. The construction of public facilities required in conjunction with such development, including but not limited to vehicular and pedestrian rights-of-way, drainage and flood-control facilities, parks and other recreational facilities, and sewers and sewage treatment facilities;</p> <p>C. The prohibition of one or more uses normally listed as permitted, accessory, subject to director's review or subject to permit in the zone where placed;</p> <p>D. The limitation of future development or requirement of specified conditions under which further development not included in the agreement may occur;</p> <p>E. The requirement of a faithful performance bond where deemed necessary to, and in an amount deemed sufficient to guarantee the faithful performance of specified terms, conditions, restrictions and/or requirements of the agreement. In lieu of the required bond, the applicant may deposit with the clerk of the board of supervisors and assign to the county, certificates of deposit or savings and loan certificates or shares equal in amount to the same conditions as set forth herein. Such deposit and assignment shall comply with all the provisions and conditions of Chapter 4.36 of this code;</p>
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<p>Such deposit and assignment shall comply with all the provisions and conditions of Chapter 4.36 (Assignment of Savings and Loan Certificates and Shares) in Title 4 (Revenue and Finance) of the County Code;</p> <p>6. The requirements of specified design criteria for the exteriors of buildings and other structures, including signs;</p> <p>7. The requirement of special yards, open spaces, buffer areas, fences and walls, landscaping and parking facilities, including vehicular and pedestrian ingress and egress;</p> <p>8. The regulation of nuisance factors such as noise, vibration, smoke, dust, dirt, odors, gases, garbage, heat and the prevention of glare or direct illumination of adjacent properties; and</p> <p>9. The regulation of operating hours and other characteristics of operation adversely affecting normal neighborhood schedules and functions on surrounding property.</p> <p>22.146.060 Application Filing, Processing, and Review</p> <p>If initiated by the filing of a development agreement application:</p> <p>A. Filing. An application for a</p>	<p>F. The requirements of specified design criteria for the exteriors of buildings and other structures, including signs;</p> <p>G. The requirement of special yards, open spaces, buffer areas, fences and walls, landscaping and parking facilities, including vehicular and pedestrian ingress and egress;</p> <p>H. The regulation of nuisance factors such as noise, vibration, smoke, dust, dirt, odors, gases, garbage, heat and the prevention of glare or direct illumination of adjacent properties;</p> <p>I. The regulation of operating hours and other characteristics of operation adversely affecting normal neighborhood schedules and functions on surrounding property. (Ord. 82-0173 § 1 (part), 1982.)</p>
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Development Agreement shall be processed in accordance with Section 22.114.050 (Application Filing and Withdrawal and Section 22.114.060 (Fees and Deposits).

B. Contents.

1. The application shall be accompanied by detailed data/materials identified in the development agreement application checklist, the materials specified in Section 22.146.050 (Content of Development Agreement), above, and any other information requested by the Director.
2. The Director may waive the filing of one or more of the items specified in the application where the same information required is filed with a concurrent permit, tentative tract or parcel map, variance, or zoning map amendment, or other action requiring approval of the Commission and/or Board to be concurrently considered.

C. Project Review Procedures.

1. Following receipt of a completed application, the Director shall investigate the facts bearing on the case in order to obtain the information necessary for action, consistent with the purpose of this Chapter.

<p>2. The Director is empowered to receive, review, process, and prepare, together with recommendations for the Review Authority, all applications for development agreements.</p> <p>3. The Director may reject any application that does not supply the information specified in this section as well as in Section 22.146.050 (Content of Development Agreement), above.</p>	
<p>D. Notice and Hearings.</p>	
<p>1. The Director, upon finding the application for a development agreement complete and in compliance with the provisions of the California Environmental Quality Act (CEQA), shall set the application, together with recommendations, for public hearings before the Review Authority in compliance with Chapter 22.114 (Common Procedures).</p>	
<p>2. Following conclusion of the public hearings, the Review Authority shall make a written report and recommendation to the Board that it approve, conditionally approve, modify, or deny the application, based on the findings identified in Subsection E, below.</p>	
<p>3. A recommendation by the Commission shall be by</p>	<p>22.16.340 Recommendation of commission. A recommendation by the commission shall be by resolution carried by the affirmative vote of</p>

<p>resolution carried by the affirmative vote of not less than three of its members. The recommendation shall be final and conclusive, and may not be reconsidered by the Commission, except upon a referral by the Board.</p>	<p>not less than three of its members. Such recommendation is final and conclusive, and may not be reconsidered by the commission except upon a referral by the board of supervisors. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.350 Notice of commission action.</p>
<p>4. The Commission shall serve a notice of its action in the manner specified by Chapter 22.114 (Common Procedures).</p>	<p>The commission shall serve a notice of its action in the manner prescribed by Section 22.60.190. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.360 Board hearing.</p>
<p>5. If the Commission has recommended denial on a development agreement that was not initiated by the Board, the action of the Commission shall become final and the Board shall not be required to take further action, unless a timely appeal has been filed with the Executive Office in compliance with Chapter 22.138 (Appeals).</p>	<p>After receipt of the commission's recommendation, the board of supervisors shall hold a public hearing and shall give notice of such public hearing pursuant to the procedure set forth in Part 4 of Chapter 22.60; provided, however, that if the commission has recommended against approval of such application, the action of the commission shall become final unless an interested party requests a hearing by the board of supervisors by filing a written request with the executive officer-clerk of the board of supervisors within 15 days after notice of the commission action is received by the applicant. (Ord. 82-0173 § 1 (part), 1982.)</p>
<p>6. Upon receipt of the Commission's recommendations, the Executive Office shall set the application and written report of the Commission for a public hearing before the Board in compliance with Chapter 22.114 (Common Procedures).</p>	<p>22.16.370 Modification of commission's recommendation.</p>
<p>7. Following conclusion of the public hearing, the Board shall approve, conditionally approve, modify, or deny the application, based on the</p>	<p>The board may approve, modify or disapprove a commission recommendation involving a development agreement, provided that any modification of the development agreement by the board of supervisors not previously</p>

<p>findings identified in Subsection E, below; provided, that any modification(s) of the development agreement by the Board not previously considered by the Commission during its hearing shall, first, be referred to the Commission for report and recommendation, but the Commission shall not be required to hold a public hearing.</p> <p>8. Failure of the Commission to report back within 40 days after the referral, or longer period as may be designated by the Board, shall be deemed to be approval of the proposed modification(s).</p> <p>9. The Board shall serve a notice of its action in the manner specified by Chapter 22.114 (Common Procedures).</p> <p>10. Notice of the public hearings identified in Subsections D.1 and D.6, above shall be given in the form of a notice of intention to consider approval of a development agreement in compliance with Section 65867 of the State Government Code.</p> <p>E. Findings. The Commission may approve a development agreement only after making the following findings: A development agreement shall substantiate to the satisfaction of the Commission the following facts</p>	<p>considered by the commission during its hearing shall first be referred to the commission for report and recommendation, but the commission shall not be required to hold a public hearing thereon.</p> <p>Failure of the commission to report within 40 days after such referral, or such longer period of time designated by the board of supervisors, shall be deemed to be approval by the commission of the proposed modification. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>Based on the burden of proof, but not exactly the same</p>
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<p>related to the subject application:</p> <ol style="list-style-type: none"> 1. The proposal is consistent with the General Plan; 2. The proposal is allowed within the applicable base zone and complies with all other applicable provisions of this Ordinance; 3. The design, location, size, and operating characteristics of the proposal are compatible with the existing land uses and zoning in the vicinity; and 4. The proposal is physically suitable for the site. The factors related to the proposal's physical suitability of the site (e.g., its design, location, size, etc.) shall include, but are not limited to, the following: <ol style="list-style-type: none"> a. The design, location, shape, size, and operating characteristics are suitable for the proposed use; b. The highways or streets that provide access to the site are of sufficient width and are improved as necessary to carry the kind and quantity of traffic such proposal would generate; c. Public protection services (e.g., fire protection, Sheriff protection, etc.) are 	<p>22.16.280 Burden of proof.</p> <p>In addition to the information required in the application by Section 22.16.270, the applicant for a development agreement shall substantiate to the satisfaction of the commission the following facts:</p> <ol style="list-style-type: none"> A. That the proposed development agreement is consistent with the general plan and any applicable community, area or specific plan; and B. That the proposed development agreement complies with zoning, subdivision and other applicable ordinances and regulations; and C. That the proposed development agreement is consistent with the public convenience, general welfare and good land-use practice, making it in the public interest to enter into the development agreement with the applicant; and D. That the proposed development agreement will not: <ol style="list-style-type: none"> 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. (Ord. 82-0173 § 4 (part), 1982.) <p>This is under Type IV application.</p> <p>22.16.380 Approval by ordinance.</p> <p>Approval by the board of supervisors of a</p>
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<p>readily available; and</p> <p>d. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.) are adequate to serve the site.</p> <p>5. The proposal will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare, or be materially detrimental or injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.</p> <p>6. The proposed development agreement is consistent with the purpose, intent, goals, policies, programs, and land use designations of the general plan, a local coastal program, if applicable, any applicable area, community, or specific plan, this Ordinance, and the purpose and intent of this Chapter;</p> <p>7. The proposed development agreement complies with County zoning, subdivision, and other applicable ordinances and regulations; and</p> <p>8. The proposed development agreement is consistent with</p>	<p>development agreement shall be by ordinance. (Ord. 82-0173 § 1 (part), 1982.)</p>
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<p>the public convenience, general welfare, and good zoning practice, making it in the public interest to enter into the development agreement with the applicant.</p> <p>22.146.070 Execution and Recordation</p> <p>A. Adopted by Ordinance.</p> <ol style="list-style-type: none">1. Approval by the Board of a development agreement shall be by ordinance.2. The ordinance shall not be adopted and the Chairperson of the Board shall not execute a development agreement until it has been executed by the applicant.3. If the applicant has not executed the agreement, or the agreement as modified by the Board, and returned the executed agreement to the Executive Office within 30 days following Board approval, the approval shall be deemed withdrawn, and the Board shall not adopt the ordinance and the Chairperson shall not execute the agreement. The 30-day time period may be extended upon approval of the Board. <p>B. Ordinance Becomes Effective. The County shall not execute a development agreement until on or after the date upon which the ordinance approving the agreement,</p>	<p>22.16.390 Development agreement--Adoption of ordinance--Execution of contract.</p> <p>A. No ordinance shall be adopted and the chairman of the board of supervisors shall not execute a development agreement until it has been executed by the applicant. If the applicant has not executed the agreement or agreement as modified by the board of supervisors, and returned said executed agreement to the executive officer-clerk of the board of supervisors within 30 days following board approval, the approval shall be deemed withdrawn, and the board shall not adopt said ordinance nor the chairman execute said agreement.</p> <p>B. Such 30-day time period may be extended upon approval of the board of supervisors. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.400 Notice of board's decision.</p> <p>The board of supervisors shall serve a notice of its action in the manner prescribed by Section 22.60.190. (Ord. 82-0173 § 1 (part), 1982.)</p>
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<p>enacted in compliance with Section 22.146.060.D (Notice and Hearings), above, becomes effective.</p> <p>C. Recordation of Agreement. A development agreement shall be recorded by the Executive Officer with the Registrar-Recorder/County Clerk no later than 10 days after it is executed in compliance with Section 65868.5 of the State Government Code.</p> <p>22.146.080 Subsequently Enacted State and Federal Laws</p> <p>In the event that State or Federal laws or regulations enacted subsequent to the execution of a development agreement prevent or preclude compliance with one or more provisions of the agreement, the provisions of the agreement shall be deemed modified or suspended to the extent necessary to comply with the subsequently enacted State or Federal laws or regulations.</p> <p>22.146.090 Coordination of Hearings</p> <p>A. Public Hearings shall be Concurrently Held. Where an application for a development agreement is concurrently filed with an application for a permit, tentative tract or parcel map, variance, or Zoning Map amendment and may be feasibly processed together, all public hearings shall be concurrently held.</p> <p>B. Modification of Development Standards. In instances where the provisions of applicable ordinances would allow the modification of development standards during consideration of the development</p>	<p>22.16.410 Recordation of executed agreement.</p> <p>Not more than 10 days following the execution of a development agreement by the board of supervisors, the executive officer-clerk of the board of supervisors shall record with the county recorder a copy of the executed agreement. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.430 Subsequently enacted state and federal laws.</p> <p>In the event that state or federal laws or regulations enacted subsequent to execution of a development agreement prevent or preclude compliance with one or more provisions of such agreement, the provisions of such agreement shall be deemed modified or suspended to the extent necessary to comply with said state or federal law or regulation. (Ord. 82-0173 § 1 (part), 1982.)</p>
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<p>agreement, the standards may be concurrently considered where modification is requested.</p> <p>22.146.100 Enforcement</p> <p>A. Responsibility for Enforcement. Unless and until amended or cancelled in whole or in part in compliance with Section 22.146.110 (Amendment and Cancellation of Development Agreements), below, a development agreement shall be enforceable by any party to the agreement notwithstanding any change in regulations which alters or amends the regulations applicable to development as specified in Section 22.146.140 (Effect of Development Agreements), below.</p> <p>B. Burden of the Agreement. The burden of a development agreement shall be binding upon, and the benefits of the agreement shall inure to, all successor(s)-in-interest to the parties to the agreement.</p>	<p>22.16.440 Enforcement--Continuing validity.</p> <p>A. Unless and until amended or cancelled in whole or in part as provided in Section 22.16.450, a development agreement shall be enforceable by any party thereto notwithstanding any change in regulations which alters or amends the regulations applicable to development as specified in Section 22.16.420.</p> <p>B. The burden of a development agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement. (Ord. 82-0173 § 1 (part), 1982.)</p>
<p>22.146.110 Amendment and Cancellation of Development Agreements</p> <p>A. Proposed Amendment or Cancellation. A development agreement may be amended, or cancelled in whole or in part, by mutual consent of all parties to the agreement or their successor(s)-in-interest.</p> <p>B. Initiation of Amendment or Cancellation. Either party to the agreement may propose and initiate</p>	<p>22.16.450 Amendment or cancellation.</p> <p>A development agreement may be amended, or cancelled in whole or in part, by mutual consent of all parties to the agreement or their successors in interest. Procedures for amendment or cancellation shall be the same as provided in this Part 4 for initiation and consideration of such agreement. (Ord. 82-0173 § 1 (part), 1982.)</p>

<p>an amendment to or cancellation of a development agreement.</p> <p>C. Same Procedures. The procedures and notice requirements for amendment or cancellation of a development agreement are the same as the procedures for entering into an agreement in compliance with this Chapter.</p> <p>D. County Initiated Amendment or Cancellation. Where the County initiates the amendment or cancellation of the development agreement, it shall first give notice to the property owner of its intention to initiate the proceedings at least 30 days before giving public notice to consider the amendment or cancellation, in compliance with Chapter 22.114 (Common Procedures).</p> <p>22.146.120 Periodic Review</p> <p>A. Basic Requirements for Periodic Review. Every development agreement entered into by the Board shall provide for periodic review of the applicant's compliance with such agreement by the Director at a time interval specified in such agreement, but in no event longer than 12 months.</p> <p>B. Procedure for Periodic Review.</p> <p>1. <i>Purpose of Periodic Review.</i> The purpose of the periodic reviews shall be to determine whether the applicant/contracting party or its successor(s)-in-interest has</p>	<p>22.16.460 Review for compliance--Director's authority.</p> <p>A. Every development agreement entered into by the board of supervisors shall provide for periodic review of the applicant's compliance with such agreement by the director at a time interval specified in such agreement, but in no event longer than 12 months.</p>
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<p>complied in good faith with the terms or conditions of the development agreement.</p> <p>a. The Director shall determine on the basis of substantial evidence that the applicant or the successor(s)-in-interest has or has not complied with the agreement.</p> <p>b. If as a result of this review the Director determines that the agreement is not being complied with, the Director shall notify the applicant or the successor(s)-in-interest of the findings as required by law for the service of summons or by registered or certified mail, postage prepaid, return receipt requested, also indicating that failure to comply within a period specified, but in no event less than 30 calendar days, may result in legal action to enforce compliance, termination, or modification of the agreement.</p> <p>c. It is the duty of the applicant or the successor(s)-in-interest to provide evidence of good-faith compliance</p>	<p>B. The director shall determine on the basis of substantial evidence that the applicant or his successor in interest has or has not complied with the agreement. If as a result of this review the director determines that the agreement is not being complied with, he shall notify the applicant or his successor in interest of his findings as required by law for the service of summons or by registered or certified mail, postage prepaid, return receipt requested, also indicating that failure to comply within a period specified, but in no event less than 30 calendar days, may result in legal action to enforce compliance, termination or modification of the agreement.</p> <p>C. It is the duty of the applicant or his successor in interest to provide evidence of good-faith compliance with the agreement to the director's satisfaction at the time of said review. Refusal by the applicant or his</p>
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<p>with the agreement to the Director's satisfaction at the time of the review.</p> <p>d. Refusal by the applicant or the successor(s)-in-interest to provide the required information shall be deemed prima facie evidence of violation of the development agreement.</p> <p>e. If, at the end of the time period established by the Director, the applicant or the successor(s)-in-interest has failed to comply with the terms of the agreement or, alternatively, submitted additional evidence satisfactorily substantiating compliance, the Director shall notify the Commission of the findings recommending the action as the Director deems appropriate, including legal action to enforce compliance or to terminate or modify the agreement.</p> <p>f. Where the Director notifies the Commission that the Director's findings indicate that a</p>	<p>successor in interest to provide the required information shall be deemed prima facie evidence of violation of such agreement.</p> <p>D. If, at the end of the time period established by the director, the applicant or his successor in interest has failed to comply with the terms of the agreement or, alternatively, submitted additional evidence satisfactorily substantiating such compliance, the director shall notify the commission of his findings recommending such action as he deems appropriate, including legal action to enforce compliance or to terminate or modify the agreement. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.470 Violation of agreement-- Commission review.</p> <p>A. Where the director notifies the commission that his findings indicate that a development agreement is being violated, a public hearing</p>
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<p>development agreement is being violated, a public hearing shall be scheduled before the Commission to consider the applicant's reported failure to comply, and the action recommended by the Director. Procedures for conduct of the public hearing shall be the same as provided in this Chapter for initiation and consideration of a development agreement.</p> <p>g. If as a result of the public hearing the Commission finds that the applicant or the successor(s)-in-interest is in violation of a development agreement, it shall notify the Board of its findings, recommending action as it deems appropriate.</p> <p>2. Board Actions Following Periodic Review. Where the Commission reports the violation of a development agreement, the Board may take one of the following actions:</p> <p>a. Approve the recommendation of the</p>	<p>shall be scheduled before the commission to consider the applicant's reported failure to comply, and the action recommended by the director. Procedures for conduct of such hearing shall be the same as provided in this Part 4 for initiation and consideration of a development agreement.</p> <p>B. If as a result of such hearing the commission finds that the applicant or his successor in interest is in violation of a development agreement, it shall notify the board of supervisors of its findings, recommending such action as it deems appropriate. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.480 Violation of agreement--Board of supervisors actions.</p> <p>Where the commission reports the violation of a development agreement, the board of supervisors may take one of the following actions:</p> <p>A. Approve the recommendation of the commission instructing that action be taken as</p>
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<p>Commission instructing that action be taken as indicated in cases other than a recommendation to terminate or modify an agreement;</p> <p>b. Refer the matter back to the Commission for further proceedings with or without instructions; or</p> <p>c. Schedule the matter for public hearing before the Board where termination or modification of an agreement is recommended. Procedures for conduct of the public hearing shall be the same as provided in this Chapter for initiation and consideration of a development agreement.</p>	<p>indicated therein in cases other than a recommendation to terminate or modify an agreement; or</p> <p>B. Refer the matter back to the commission for further proceedings with or without instructions; or</p> <p>C. Schedule the matter for hearing before itself where termination or modification of an agreement is recommended. Procedures for such hearing shall be the same as provided in Section 22.16.450. (Ord. 82-0173 § 1 (part), 1982.)</p>
<p>22.146.130 Applicability to Areas Where Local Coastal Program is Required</p> <p>A development agreement shall not be approved in an area for which a Local Coastal Program is required to be prepared and certified in compliance with Division 20 of the State Public Resources Code unless:</p> <p>A. Local Coastal Program has Been Certified. The required Local Coastal Program has been certified in compliance with Division 20 before the date on which the development</p>	<p>22.16.490 Applicability to areas where local coastal program is required.</p> <p>A development agreement shall not be approved in an area for which a local coastal program is required to be prepared and certified pursuant to the requirements of Division 20 of the Public Resources Code unless:</p> <p>A. The required local coastal program has been certified as required by such provisions prior to the date on which the development</p>

<p>agreement is approved; or</p> <p>B. Local Coastal Program has Not Been Certified. In the event that the required Local Coastal Program has not been certified, the California Coastal Commission approves the development agreement by its formal action.</p> <p>22.146.140 Effect of Development Agreements</p> <p>A. Rules in Force at the Time of Execution. Unless otherwise provided by the development agreement, the General Plan, zoning, subdivision, and other County ordinances, policies, regulations, and rules governing allowed uses of the land, density, design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement, are the ordinances, policies, regulations, and rules in force at the time of execution of the agreement.</p> <p>B. Application of New Rules. In compliance with State Government Code, a development agreement shall not prevent the County, in subsequent actions, from applying new ordinances, policies, regulations, and rules to the property which do not conflict with the ordinances, policies, regulations, and rules that were applicable to the property at the time of the approved development agreement, nor shall a development agreement prevent the County from conditionally approving or denying</p>	<p>agreement is approved; or</p> <p>B. In the event that the required local coastal program has not been certified, the California Coastal Commission approves such development agreement by its formal action. (Ord. 82-0173 § 1 (part), 1982.)</p> <p>22.16.420 Ordinances, regulations and requirements applicable to development.</p> <p>Unless otherwise provided by a development agreement, the General Plan, zoning, subdivision and other ordinances, rules, regulations and official policies governing permitted uses of land, governing density and governing design, improvement and construction standards and specifications applicable to property subject to a development agreement shall be those applicable to such development on the date of execution of the development agreement by the board of supervisors; provided, however, that a development agreement shall not:</p> <p>A. Be construed to prevent the application of later adopted or amended ordinances, rules, regulations and policies in subsequent applications applicable to the property which do not conflict with such existing ordinances, rules, regulations and policies; or</p> <p>B. Prevent the approval, approval subject to conditions, or denial of subsequent development applications pursuant to such existing or later adopted or amended ordinances, rules, regulations and policies. (Ord. 82-0173 § 1 (part), 1982.)</p>
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any subsequent development applications on the basis of existing or new ordinances, policies, regulations, and rules.

22.146.150 **Approved Development Agreements**

Development agreements approved by the Board shall be on file with the Executive Office of the Board.

Deleted:

22.16.260 Application--Filing conditions.

Any person having a legal or equitable interest in real property or such other interest as specified in subsection B2 of Section 22.16.270 may file an application proposing consideration of a development agreement with the director, except that a person may not file, and the director shall not accept an application which is the same as, or substantially the same as, an application upon which final action has been taken either by the commission or by the board of supervisors within one year prior thereto, except as otherwise provided by Section 22.16.450. (Ord. 82-0173 § 1 (part), 1982.)

22.16.270 Application--Contents.

*A. An application proposing consideration of a development agreement shall contain the following information and such other information as is requested by the director.
B. The director may reject any application that does not supply the information requested herein:
1. The name and address of the applicant and of all persons having a legal or equitable interest in all or a part of the property*

	<p><i>proposed to be used;</i></p> <p><i>2. Evidence that the applicant:</i></p> <p><i>a. Has a legal or equitable interest in the property involved; or</i></p> <p><i>b. Has written permission from a person having a legal or equitable interest to make such application;</i></p> <p><i>3. Location of subject property (address or vicinity);</i></p> <p><i>4. Legal description of the property, including a statement of total area involved;</i></p> <p><i>5. With each application the applicant shall also file:</i></p> <p><i>a. Maps in the number prescribed and drawn to a scale specified by the director, showing the location of all property included in the request for action, the location of all highways, streets, alleys, and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the parcel of land described in the application;</i></p> <p><i>b. One copy of the said map shall indicate the uses established on every lot or parcel of land shown within the said 500-foot radius;</i></p> <p><i>c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject property and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land described in the application. One copy of the map shall indicate the ownership of said lots or parcels of land;</i></p> <p><i>6. The development agreement proposed, together with all explanatory text, plans, maps, drawings, pictures and other information as may be required to evaluate such proposal;</i></p> <p><i>7. Such other information as the director may require.</i></p>
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	<p><i>C. The director may waive the filing of one or more of the above items where the same information required is filed with a zone change, permit, tentative subdivision map or other action requiring approval of the board of supervisors and/or commission to be concurrently considered.</i></p> <p><i>D. The accuracy of all information, maps and lists submitted shall be the responsibility of the applicant. (Ord. 90-0134 § 3, 1990; Ord. 82-0173 § 1 (part), 1982.)</i></p> <p><i>22.16.290 Fee required.</i></p> <p><i>When an application proposing a development agreement is filed, it shall be accompanied by the filing fee as required in Section 22.60.100. (Ord. 82-0173 § 1 (part), 1982.)</i></p> <p><i>22.16.500 Coordination of approvals.</i></p> <p><i>A. Where an application for a development agreement is concurrently filed with an application for a zone change, permit, variance, tentative tract or minor land division and may be feasibly processed together, all public hearings shall be concurrently held.</i></p> <p><i>B. In instances where the provisions of applicable ordinances would permit the modification of development standards during consideration of such development agreement, such standards may be concurrently considered where modification is requested. (Ord. 82-0173 § 1 (part), 1982.)</i></p>
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Chapter 22.148 Specific Plans

Sections:

- 22.148.010 Purpose
- 22.148.020 Procedure and Adoption
- 22.148.030 Administration
- 22.148.040 List of Specific Plans

22.148.010 Purpose

This Chapter establishes procedures for consideration of specific plans as authorized by Article 8, Chapter 3, in Division 1, Title 7 (Planning and Land Use) and other applicable provisions of the State Government Code. This Chapter describes the relation between an adopted specific plan and the provisions of this Ordinance.

22.148.020 Procedure and Adoption

- A. **Adoption.** Specific plans, including any associated regulations, conditions, programs and proposed legislation shall be adopted by ordinance according to the procedures established in Article 8, Chapter 3, Division 1, Title 7 and other applicable provisions of the State Government Code.
- B. **Amendments.** Any amendments to such specific plans or regulations shall also be adopted in accordance with the State Government Code provisions mentioned above. No amendment to a specific plan

22.46.010 Intent and authority.

This Chapter 22.46 is established to provide procedures for consideration of specific plans as authorized by Article 8, Chapter 3, Division 1, Title 7 and other applicable provisions of the Government Code. It is also the intent to describe the relation between an adopted specific plan and the provisions of this Title 22. (Ord. 89-0151 § 1 (part), 1989.)

22.46.020 Procedure and adoption.

Specific plans, including any associated regulations, conditions, programs and proposed legislation shall be adopted by ordinance according to the procedures established in Article 8, Chapter 3, Division 1, Title 7 and other applicable provisions of the Government Code. Any amendments to such specific plans or regulations shall also be adopted in accordance with the Government Code provisions mentioned above. No amendment to a specific plan certified as part of a Local Coastal Program shall be effective in the coastal zone until the amendments are certified by the California Coastal Commission pursuant to Public Resources Code Section 30514. (Ord. 89-0151 § 1 (part), 1989.)

<p>certified as part of a Local Coastal Program shall be effective in the Coastal Zone until the amendments are certified by the California Coastal Commission pursuant to Section 30514 of the State Public Resources Code.</p> <p>22.148.030 Administration</p> <p>A. Administration. Specific plans and associated regulations shall be administered in accordance with Article 8, Chapter 3, Division 1, Title 7 and other applicable provisions of the State Government Code. Such plans and regulations may reference existing provisions and procedures of this Ordinance or they may develop different administrative procedures to use in the implementation of the specific plan.</p> <p>B. Specific Plan Supersedes. Except as otherwise expressly provided in a specific plan, property may be used for any purpose and subject to all of the standards and requirements of the base zone. Where the regulations of a specific plan differ from the provisions of the base zone, with the exception of qualified projects allowed by Chapters 22.92 (Requests for Reasonable Accommodations) and 22.128 (Housing Permits), such regulations shall supersede the provisions of the base zone as specified in the specific plan.</p> <p>22.148.040 List of Specific Plans</p> <p>The following specific plans are added by reference, together with all maps and provisions pertaining thereto:</p>	<p>22.46.030 Administration.</p> <p>Specific plans and associated regulations shall be administered in accordance with Article 8, Chapter 3, Division 1, Title 7 and other applicable provisions of the Government Code. Such plans and regulations may reference existing provisions and procedures of this Title 22 or they may develop different administrative procedures to use in the implementation of the specific plan.</p> <p>Except as otherwise expressly provided in a specific plan, property may be used for any purpose and subject to all of the standards and requirements of the basic zone. Where the regulations of a specific plan differ from the provisions of the basic zone, with the exception of qualified projects allowed by Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56, such regulations shall supersede the provisions of the basic zone as specified in the specific plan. (Ord. 2006-0063 § 20, 2006: Ord. 89-0151 § 1 (part), 1989.)</p>
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<i>Specific Plan Number</i>	<i>Specific Plan Name</i>	<i>Ordinance of Adoption</i>	<i>Date of Adoption</i>
1	Canyon Country	86-022	12/23/86
2	La Vina	89-0167	12/26/89
3	Santa Catalina Island	89-0148	11/28/89
4	Marina Del Rey	90-0158	11/6/90
5	Northlake	93-0014	2/9/93
6	Newhall Ranch	2003-0031Z	4/27/03

Chapter 22.150 Additional Regulations

Sections:

- 22.150.010 Legislative Provisions
- 22.150.020 Bonds and Insurance
- 22.150.030 Procedural Ordinance for Financing of Public Facilities
- 22.150.040 Major Projects Review Trust Funds
- 22.150.050 Library Facilities Mitigation Fee
- 22.150.060 Law Enforcement Facilities Fee

22.150.010 Legislative Provisions

- A. **Continuation of Existing Law.** The provisions of this Ordinance, as long as they are substantially the same as the provisions of any ordinance, or portions of any ordinance repealed by provisions codified in this Section, shall be construed as restatements and continuations of these ordinances, and not as new enactments.
- B. **Proceedings Pending as of November 5, 1971—Procedure Generally.** No hearing or other proceeding initiated or commenced prior to November 5, 1971, and no right accrued, is affected either by amendments to Ordinance 1494 effective on November 5, 1971, or by the provisions of this Ordinance (Title 22 of the County Code) as far as

22.64.010 Continuation of existing law.

The provisions of this Title 22, insofar as they are substantially the same as the provisions of any ordinance or portions of any ordinance repealed by provisions codified in this Chapter 22.64 shall be construed as restatements and continuations thereof, and not as new enactments. (Ord. 1494 Ch. 8 Art. 1 § 801, 1927.)

22.64.020 Proceedings pending as of November 5, 1971--Procedure generally.

No hearing or other proceeding initiated or commenced prior to November 5, 1971, and no right accrued, is affected either by amendments to Ordinance 1494 effective on said November 5, 1971, or by the provisions of this Title 22, but all proceedings thereafter taken shall conform to the provisions of said

<p>possible. All proceedings taken after this date shall conform to the provisions of this Ordinance. Where the Commission, prior to November 5, 1971, has recommended the granting, denial, revocation or modification of any permit, exception, license or other approval to the Board, the Board may act upon such recommendation either before or after November 5, 1971. In all other cases, the Commission shall grant, deny, revoke or modify as now provided in this Ordinance, even if the action was initiated prior to November 5, 1971.</p>	<p>ordinance so far as possible. Where the commission prior to said November 5, 1971, has recommended the granting, denial, revocation or modification of any permit, exception, license or other approval to the board of supervisors, the board may act upon such recommendation either before or after November 5, 1971. In all other cases, the commission shall grant, deny, revoke or modify as now provided in this Title 22, even if the action was initiated prior to said November 5, 1971. (Ord. 1494 Ch. 8 Art. 1 § 802, 1927.)</p>
<p>C. Proceedings Pending as of November 5, 1971—Applications for Exceptions. If, prior to November 5, 1971, an application for an exception has been heard by the Board, Commission or Hearing Officer but has not been decided on by November 5, 1971, the Board, Commission or Hearing Officer may, where applicable, consider the case as either an application for a variance or for a conditional use permit, and shall decide or recommend pursuant to the provisions of this Ordinance as they now exist.</p>	<p>22.64.030 Proceedings pending as of November 5, 1971--Applications for exceptions.</p> <p>If, prior to said November 5, 1971, an application for an exception has been heard by the board of supervisors, commission or zoning board but has not been decided on said November 5, 1971, the board of supervisors, commission and zoning board may, where applicable, consider the case as either an application for a variance or for a conditional use permit, and shall decide or recommend pursuant to the provisions of this Title 22 as they now exist. (Ord. 1494 Ch. 8 Art. 1 § 803, 1927.)</p>
<p>D. Zone Exception—Deemed Variance When. Where a zone exception granted by action of the Board or Commission prior to November 5, 1971, may be granted as a variance under the present provisions of this Ordinance, it shall be deemed a variance.</p>	<p>22.64.040 Zone exception--Deemed variance when.</p> <p>Where a zone exception granted by action of the commission or board of supervisors prior to said November 5, 1971, may be granted as a variance under the present provisions of this Title 22, it shall be deemed a variance. (Ord. 1494 Ch. 8 Art. 1 § 808, 1927.)</p>
<p>E. Zone Exception—Considered</p>	<p>22.64.050 Zone exception--Considered nonconforming use when.</p>

<p>Nonconforming Use When. In all cases other than as provided in Subsection D, above, where a zone exception was granted by action of the Review Authority prior to November 5, 1971, such use shall be considered a nonconforming use under the provisions of this Ordinance, provided:</p> <ol style="list-style-type: none">1. That such uses shall remain in compliance with and subject to all limitations and conditions imposed by such grant; and2. That all provisions governing nonconforming uses not in conflict with the limitations and conditions of such grant shall apply. <p>F. Zone Exception Considered Conditional Use. Notwithstanding the provisions of Subsection E, above, where a zone exception, granted by action of the Review Authority prior to November 5, 1971, may be granted as a Type IV application under the present provisions of this Ordinance, it shall be deemed a Type IV Permit.</p> <p>G. Rights Under Existing Approval Not Affected. No rights given by any permit, license or other approval under any ordinance repealed by the provisions of this Section are affected by such repeal, but such rights shall hereafter be exercised according to the provisions of this Ordinance.</p> <p>H. Convictions for Crimes. Any conviction for a crime under any ordinance which is repealed by this</p>	<p>In all cases other than as provided in Section 22.64.040, where a zone exception was granted by action of the commission or the board of supervisors prior to November 5, 1971, such use shall be considered a nonconforming use under the provisions of this Title 22, provided:</p> <p>A. That such uses shall remain in compliance with and subject to all limitations and conditions imposed by such grant; and</p> <p>B. That all provisions governing nonconforming uses not in conflict with the limitations and conditions of such grant shall apply. (Ord. 1494 Ch. 8 Art. 1 § 809, 1927.)</p> <p>22.64.055 Zone exception considered conditional use.</p> <p>Notwithstanding the provisions of Section 22.64.050, where a zone exception, granted by action of the commission or board of supervisors prior to November 5, 1971, may be granted as a conditional use permit under the present provisions of Title 22, it shall be deemed a conditional use permit. (Ord. 91-0143 § 1, 1991.)</p> <p>22.64.060 Rights under existing approval not affected.</p> <p>No rights given by any permit, license or other approval under any ordinance repealed by the provisions of this chapter are affected by such repeal, but such rights shall hereafter be exercised according to the provisions of this Title 22. (Ord. 1494 Ch. 8 Art. 1 § 804, 1927.)</p> <p>22.64.070 Convictions for crimes. Any conviction for a crime under any ordinance which is repealed by this chapter, which crime is continued as a public offense by this Title</p>
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<p>Section, which crime is continued as a public offense by this Ordinance, constitutes a conviction under this Ordinance for any purpose for which it constituted a conviction under such repealed ordinance.</p> <p>I. Repeal Does Not Revive Any Ordinance. The repeal of any ordinance amending this Ordinance shall not revive any amendment adopted prior to the repealed ordinance amendment.</p>	<p>22, constitutes a conviction under this Title 22 for any purpose for which it constituted a conviction under such repealed ordinance. (Ord. 1494 Ch. 8 Art. 1 § 805, 1927.)</p> <p>22.64.080 Repealed ordinances.</p> <p>Ordinance 219, entitled “An Ordinance Regulating the Storage and Transportation of Explosives in the County of Los Angeles,” adopted October 11, 1909; Ordinance 1454, entitled “An Ordinance Regulating the Establishment and Maintenance of Rock Quarries, Sand and Gravel Pits and Rock Crushing Plants in the County of Los Angeles,” adopted March 14, 1927; Ordinance 1473 (New Series) entitled “An Ordinance Providing for the Creation in the Unincorporated Area of the County of Los Angeles of Seven Zones Prescribing the Classes of Uses of Buildings, Structures, Improvements and Premises in Said Several Zones and Providing a Penalty for the Violation Thereof,” adopted May 2, 1927; Ordinance 2179, entitled “An Ordinance Providing for a Comprehensive Scheme of Building Line Restrictions in the Unincorporated Territory of the County of Los Angeles,” adopted November 25, 1932; Ordinance 2854, entitled “An Ordinance Regulating the Establishment, Maintenance and Extension of Cemeteries in the County of Los Angeles, Providing for the Issuance of Permits Therefor, and Providing Penalties for the Violation Thereof,” adopted January 20, 1937; and Ordinance 5070, entitled, “An Ordinance Temporarily Restricting and Regulating Residential Construction, Occupation and Use in the Laguna Dominguez Area, Pending the Adoption of Permanent Official Plans of the Master Plan of Land Use,” adopted February 17, 1948, are hereby repealed. (Ord. 1494 Ch. 8 Art. 1 § 806, 1927.)</p>
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<p>22.150.020 Bonds and Insurance</p> <p>A. Bond or Assignment of Savings and Loan Certificates or Shares Required When. When one or more conditions are attached to any grant, modification or appeal of a zone change, permit, variance or nonconforming use or structure review, the Review Authority may require the owners of the property to which such approval applies, to file a surety bond or corporate surety bond, or to deposit money, savings and loan certificates or shares with the Board in a prescribed amount for the purpose of guaranteeing the faithful performance of conditions placed on the approval.</p> <p>B. Procedure for Assignment of Savings and Loan Certificates or</p>	<p>22.64.090 Repeal does not revive any ordinance.</p> <p>The repeal of Ordinance 2854 does not revive Ordinance 927, New Series, entitled, "An Ordinance Prohibiting the Establishment of Certain Institutions in Certain Localities in the County of Los Angeles," adopted October 1, 1923, nor any other ordinance or portion thereof repealed by Ordinance 2854. (Ord. 1494 Ch. 8 Art. 1 § 807, 1927.)</p> <p>Part 3 BONDS AND INSURANCE</p> <p>22.60.140 Bond or assignment of savings and loan certificates or shares required when.</p> <p>When one or more conditions are attached to any grant, modification or appeal of a zone change, permit, variance or nonconforming use or structure review, the hearing officer or board of supervisors may require the owners of the property to which such zone change, permit, variance or nonconforming use or structure review applies, to file a surety bond or corporate surety bond, or to deposit money, savings and loan certificates or shares with the board of supervisors in a prescribed amount for the purpose of guaranteeing the faithful performance of said conditions. (Ord. 85-0195 § 15 (part), 1985; Ord. 1494 Ch. 6 Art. 5 § 651, 1927.)</p> <p>22.60.150 Procedure for assignment of savings and loan certificates or shares. Where savings and loan certificates or shares</p>
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<p>Shares. Where savings and loan certificates or shares are deposited, they shall be assigned to the County subject to all provisions of Chapter 4.36 in Title 2 (Administrative Code) of the County Code.</p> <p>C. Insurance Required When— Exceptions. The Review Authority may also require the owners of the property to which such approval applies to file a policy of insurance equal in amount to the amount of the required bond or deposit, insuring all persons against any injury or annoyance arising from the breach of such conditions unless:</p> <ol style="list-style-type: none">1. If the bond is filed, it includes as obligees all such persons; or2. If money, savings and loan certificates or shares are deposited, such owners also file an agreement in writing with the Executive Office of the Board that the County may satisfy in whole or in part from such deposit any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance.	<p>are deposited, they shall be assigned to the county subject to all of the County Administrative Code provisions set out in Chapter 4.36 of this code. (Ord. 1494 Ch. 6 Art. 5 § 652, 1927.)</p> <p>22.60.160 Insurance required when-- Exceptions.</p> <p>The hearing officer or board of supervisors may also require the owners of the property to which such zone change, permit, variance or nonconforming use or structure review applies to file a policy of insurance equal in amount to the amount of the required bond or deposit, insuring all persons against any injury or annoyance arising from the breach of such conditions unless:</p> <ol style="list-style-type: none">A. If the bond is filed, it includes as obligees all such persons; orB. If money, savings and loan certificates or shares are deposited, such owners also file an agreement in writing with the executive officer-clerk of the board of supervisors that the county may satisfy in whole or in part from such deposit any final judgment, the payment of which would have been guaranteed by such bond or policy of insurance. (Ord. 85-0195 § 15 (part), 1985; Ord. 1494 Ch. 6 Art. 5 § 653, 1927.)
<p>22.150.030 Procedural Ordinance for Financing of Public Facilities</p> <p>A. Purpose.</p> <ol style="list-style-type: none">1. This Section implements, in part, the Los Angeles County General Plan, which provides	<p>22.68.010 Purpose.</p> <p>A. The purpose of this chapter is to implement, in part, the county of Los Angeles General</p>

<p>guidelines for future development in areas depicted within urban expansion or nonurban categories on the General Development Policy Map.</p> <p>2. The General Plan recommends a development qualification procedure, in part, to ensure that proposed new projects in areas designated in the General Plan as urban expansion or nonurban will not create substantial net costs on County government, special districts and existing taxpayers.</p> <p>3. This Section is intended to establish procedures for the implementation of the General Plan by providing for the designation of lands which will receive special benefits from the acquisition, construction and improvement of certain public facilities set forth in this Section, and the imposition of special assessments on land related to benefits received.</p> <p>B. Areas of Benefit Authorized. In order that the burden of the cost of constructing public facilities may be borne by all of the lands benefited thereby, areas of benefit may be designated and facilities benefits assessments, as defined in Subsection C, below, chargeable to and against such lands may be imposed in accordance with procedures set forth in this Section.</p>	<p>Plan, which provides guidelines for future development in areas depicted within urban expansion or nonurban categories on the General Development Policy Map.</p> <p>B. The General Plan recommends a development qualification procedure, in part, to ensure that proposed new projects in areas designated in the General Plan as urban expansion or nonurban will not create substantial net costs on county government, special districts and existing taxpayers.</p> <p>C. This chapter is intended to establish procedures for the implementation of the General Plan by providing for the designation of lands which will receive special benefits from the acquisition, construction and improvement of certain public facilities set forth in this chapter, and the imposition of special assessments on land related to benefits received. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.020 Areas of benefit authorized.</p> <p>In order that the burden of the cost of constructing public facilities may be borne by all of the lands benefited thereby, areas of benefit it may be designated and facilities benefits assessments, as defined in Section 22.68.030, chargeable to and against such lands may be imposed in accordance with procedures set forth in this chapter. (Ord. 86-0024 § 1 (part), 1986.)</p>
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<p>C. Definitions. For purposes of this Section, the following definitions shall apply, unless the context requires otherwise.</p> <p>1. Advance. An amount expended by the County or other governmental entity toward the cost of a public facilities project within or for the benefit of an area of benefit and for which the County shall be reimbursed from facilities benefit assessments.</p> <p>2. Area(s) of benefit. Lands which are designated as receiving special benefits from the construction, acquisition and improvement of public facilities project(s) as established by a resolution of designation adopted by the County pursuant to this Section.</p> <p>3. Building permit. The permit issued or required for the construction of any structure in connection with the development of land pursuant to and as defined by the International Building Code.</p> <p>4. Capital improvement program. A plan for the implementation and financing of public facilities projects, including but not limited to a schedule for the commencement of construction, the estimated cost of construction, and the</p>	<p>22.68.030 Definitions.</p> <p>Unless the context requires otherwise, the definitions set forth in this section apply to the following terms as used in this chapter.</p> <p>A. "Advance" means amounts expended by the county or other governmental entity toward the cost of a public facilities project within or for the benefit of an area of benefit and for which the county shall be reimbursed from facilities benefit assessments.</p> <p>B. "Area(s) of benefit" means lands which are designated as receiving special benefits from the construction, acquisition and improvement of public facilities project(s) as established by a resolution of designation adopted by the county pursuant to this chapter.</p> <p>C. "Building permit" means the permit issued or required for the construction of any structure in connection with the development of land pursuant to and as defined by the Uniform Building Code. Was replaced by IBC in 2000.</p> <p>D. "Capital improvement program" means a plan for the implementation and financing of public facilities projects, including but not limited to a schedule for the commencement of construction, the estimated cost of construction, and the payment of facilities</p>
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<p>payment of facilities benefit assessments.</p> <p>5. Construction. The design, acquisition of property, administration of construction contracts, actual construction and incidental costs related thereto.</p> <p>6. Contribution. The amounts expended by the County or other governmental entity toward the cost of a public facilities project in relation to the general benefit received by the County from construction of the public facilities project.</p> <p>7. Costs. The amounts spent or authorized to be spent in connection with the planning, financing, acquisition and development of a public facilities project including, without limitation, the costs of land, construction, engineering, administration, and legal and financial consulting fees.</p> <p>8. Development. The division of land, grading or original construction of an improvement to real property, which division of land, grading or construction is of the type normally associated with urban development.</p> <p>9. Facilities benefit assessment(s). The amounts collected under the terms of</p>	<p>benefit assessments.</p> <p>E. "Construction" means design, acquisition of property, administration of construction contracts, actual construction and incidental costs related thereto.</p> <p>F. "Contribution" means amounts expended by the county or other governmental entity toward the cost of a public facilities project in relation to the general benefit received by the county from construction of the public facilities project.</p> <p>G. "Costs" means amounts spent or authorized to be spent in connection with the planning, financing, acquisition and development of a public facilities project including, without limitation, the costs of land, construction, engineering, administration, and legal and financial consulting fees.</p> <p>H. "Development" means the division of land, grading or original construction of an improvement to real property, which division of land, grading or construction is of the type normally associated with urban development.</p>
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<p>10. Public facilities project. Any and all public improvements the need for which is directly or indirectly generated by development, including, but not limited to the following:</p> <ul style="list-style-type: none"> a. Water mains, pipes, conduits, tunnels, hydrants, and other necessary works and appliances for providing water service; b. Lines, conduits and other necessary works and appliances for providing electric power service; c. Mains, pipes and other necessary works and appliances for providing gas service; d. Poles, posts, wires, pipes, conduits, lamps and other necessary works and appliances for lighting purposes; e. Sidewalks, crosswalks, steps, safety zones, platforms, seats, culverts, bridges, curbs, gutters, tunnels, parks and parkways, recreation areas, including all structures, 	<p>I. "Facilities benefit assessment(s)" means the amounts collected under the terms of this chapter to provide funds for public facilities project(s) which will benefit designated areas of benefit.</p> <p>J. "Public facilities project" means any and all public improvements the need for which is directly or indirectly generated by development, including, but not limited to the following:</p> <ul style="list-style-type: none"> 1. Water mains, pipes, conduits, tunnels, hydrants, and other necessary works and appliances for providing water service; 2. Lines, conduits and other necessary works and appliances for providing electric power service; 3. Mains, pipes and other necessary works and appliances for providing gas service; 4. Poles, posts, wires, pipes, conduits, lamps and other necessary works and appliances for lighting purposes; 5. Sidewalks, crosswalks, steps, safety zones, platforms, seats, culverts, bridges, curbs, gutters, tunnels, parks and parkways,
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<p>buildings and other facilities necessary to make parks and parkways and recreation areas useful for the purposes for which intended;</p> <p>f. Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catchbasins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, tunnels, channels or other appurtenances;</p> <p>g. Dams, retention basins, detention basins, debris basins, spreading grounds, injection wells, observation wells, pressure-reduction facilities, headworks, drains, tunnels, conduits, culverts, washes, swales, floodways, flowpaths, and channels for drainage and/or water conservation purposes.</p> <p>h. Pipes, hydrants and appliances for fire protection;</p> <p>i. Retaining walls, embankments,</p>	<p>recreation areas, including all structures, buildings and other facilities necessary to make parks and parkways and recreation areas useful for the purposes for which intended;</p> <p>6. Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catchbasins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, tunnels, channels or other appurtenances;</p> <p>7. Dams, retention basins, detention basins, debris basins, spreading grounds, injection wells, observation wells, pressure-reduction facilities, headworks, drains, tunnels, conduits, culverts, washes, swales, floodways, flowpaths, and channels for drainage and/or water conservation purposes.</p> <p>8. Pipes, hydrants and appliances for fire</p>
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<p>buildings and any other structures or facilities necessary or suitable in connection with any of the work mentioned in this Section;</p> <p>j. Compaction of land, change of grade or contours, construction of caissons, retaining walls, drains and other structures suitable for the purpose of stabilizing land;</p> <p>k. Acquisition, construction and installation of:</p> <p style="padding-left: 20px;">i. Streets and highways; and</p> <p style="padding-left: 20px;">ii. Traffic signs, signals, lights and lighting.</p> <p>l. Acquisition, construction, improvement and equipping of:</p> <p style="padding-left: 20px;">i. Library buildings;</p> <p style="padding-left: 20px;">ii. Fire stations;</p> <p style="padding-left: 20px;">iii. Temporary and permanent school buildings; and</p> <p style="padding-left: 20px;">iv. Police stations.</p> <p>m. Public works maintenance facilities;</p>	<p>protection;</p> <p>9. Retaining walls, embankments, buildings and any other structures or facilities necessary or suitable in connection with any of the work mentioned in this section;</p> <p>10. Compaction of land, change of grade or contours, construction of caissons, retaining walls, drains and other structures suitable for the purpose of stabilizing land;</p> <p>11. Acquisition, construction and installation of streets and highways;</p> <p>12. Acquisition, construction, improvement and equipping of library buildings;</p> <p>13. Acquisition, construction, improvement and equipping of fire stations;</p> <p>14. Acquisition, construction, improvement and equipping of temporary and permanent school buildings;</p> <p>15. Acquisition, construction, improvement and equipping of police stations;</p> <p>16. Acquisition, construction and installation of traffic signs, signals, lights and lighting;</p> <p>17. Public works maintenance facilities;</p>
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<p>n. All other work auxiliary to any of the above which may be required to carry out that work, including but not limited to the maintenance of public facilities projects and administrative, engineering, architectural and legal work performed in connection with establishing, implementing and monitoring public facilities projects;</p> <p>o. Acquisition of any and all property, easements and rights-of-way which may be required to carry out the purposes of the project.</p> <p>D. Initiation of Proceedings. Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the Board may initiate proceedings for the designation of an area of benefit by adopting a resolution stating its intention to do so. The Board shall refer the proposed public facilities project to the Director of Public Works and shall instruct the Director of Public Works, with the assistance of the Director of Regional Planning and, where appropriate, interested landowners to make and file with the Board a report in writing which shall contain:</p> <p>1. Either:</p>	<p>18. All other work auxiliary to any of the above which may be required to carry out that work, including but not limited to the maintenance of public facilities projects and administrative, engineering, architectural and legal work performed in connection with establishing, implementing and monitoring public facilities projects;</p> <p>19. Acquisition of any and all property, easements and rights-of-way which may be required to carry out the purposes of the project. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.040 Initiation of proceedings.</p> <p>Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the board of supervisors may initiate proceedings for the designation of an area of benefit by adopting a resolution stating its intention to do so. The board of supervisors shall refer the proposed public facilities project to the director of public works and shall instruct the director with the assistance of the planning director and, where appropriate, interested landowners to make and file with the board of supervisors a report in writing which shall contain:</p>
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<p>a. An implementation program for future development, and/or</p> <p>b. A financing plan with respect to the proposed public facilities project;</p> <p>2. A general description of the proposed public facilities project;</p> <p>3. An estimate of the total cost of the public facilities project(s) based on the projected time for commencement and completion thereof in accordance with the capital improvement program;</p> <p>4. A capital improvement program establishing a schedule for the timing of construction of the public facilities project and the estimated cost for the project;</p> <p>5. A diagram showing the area of benefit to be designated and the boundaries and dimensions of the subdivision of land within the area of benefit;</p> <p>6. Preliminary information concerning the method pursuant to which the costs are proposed to be apportioned among the parcels within the area of benefit in proportion to the estimated benefits to be received by those parcels and a preliminary estimate of the</p>	<p>A.1. An implementation program for future development, and/or</p> <p>2. A financing plan with respect to the proposed public facilities project;</p> <p>B. A general description of the proposed public facilities project;</p> <p>C. An estimate of the total cost of the public facilities project(s) based on the projected time for commencement and completion thereof in accordance with the capital improvement program.</p> <p>D. A capital improvement program establishing a schedule for the timing of construction of the public facilities project and the estimated cost therefor;</p> <p>E. A diagram showing the area of benefit to be designated and the boundaries and dimensions of the subdivision of land within the area of benefit;</p> <p>F. Preliminary information concerning the method pursuant to which the costs are proposed to be apportioned among the parcels within the area of benefit in proportion to the estimated benefits to be received by those parcels and a preliminary estimate of the</p>
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<p>amount of the facilities benefit assessments which will be charged to each such parcel;</p> <p>7. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost of the public facilities project(s).</p> <p>E. Resolution of Intention. Upon receipt of the report described in Subsection D, above, the Board may declare its intention to designate an area of benefit by adopting a resolution of intention which shall include the following:</p> <p>1. A definitive description of the specific public facilities project, the cost of which is proposed to be charged to the properties located within the area of benefit;</p> <p>2. A capital improvement program with respect to the public facilities project(s);</p> <p>3. The proposed boundaries of the area of benefit;</p> <p>4. Information concerning the method by which the costs are proposed to be apportioned among the parcels within the area of benefit and an estimate of the amount of the facilities benefit assessments which will be charged to each such parcel;</p> <p>5. The basis and methodology by which automatic annual</p>	<p>amount of the facilities benefit assessments which will be charged to each such parcel;</p> <p>G. The amount of the contribution or advance, if any, which the county or other public entity will make toward the total cost of the public facilities project(s). (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.050 Resolution of intention. Upon receipt of the report described in Section 22.68.040 the board of supervisors may declare its intention to designate an area of benefit by adopting a resolution of intention which shall include the following:</p> <p>A. A definitive description of the specific public facilities project, the cost of which is proposed to be charged to the properties located within the area of benefit;</p> <p>B. A capital improvement program with respect to the public facilities project(s);</p> <p>C. The proposed boundaries of the area of benefit;</p> <p>D. Information concerning the method by which the costs are proposed to be apportioned among the parcels within the area of benefit and an estimate of the amount of the facilities benefit assessments which will be charged to each such parcel;</p>
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<p>increases in the facilities benefit assessment will be computed, assessed and levied, without the necessity for further proceeding pursuant to Subsection M, below. If, in the discretion of the Board such automatic annual increases are determined to be necessary;</p> <p>6. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost; and</p> <p>7. The time and place at which the Board will hold a public hearing to consider designation of the area benefit.</p> <p>F. Notice of Public Hearing. Notice of the public hearing shall be provided by publication of the resolution of intention in a newspaper of general circulation at least two weeks before the date set for the public hearing and by mailing copies of the resolution of intention to the owners of the affected properties located within the proposed area of benefit at the addresses shown on the last equalized assessment roll, or as otherwise known to the assessor, or by any other means which the Board finds reasonably calculated to appraise affected landowners of the public hearing.</p> <p>G. Protests. At any time not later than the close of the public hearing, any owner of property within the proposed</p>	<p>E. The basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed and levied, without the necessity for further proceeding pursuant to Section 22.68.130. If, in the discretion of the board of supervisors such automatic annual increases are determined to be necessary;</p> <p>F. The amount of the contribution or advance, if any, which the county or other public entity will make toward the total cost;</p> <p>G. The time and place at which the board of supervisors will hold a hearing to consider designation of the area benefit. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.060 Notice of hearing. Notice of the hearing shall be provided by publication of the resolution of intention in a newspaper of general circulation at least two weeks before the date set for the hearing and by mailing copies of the resolution of intention to the owners of the affected properties located within the proposed area of benefit at the addresses shown on the last equalized assessment roll, or as otherwise known to the assessor, or by any other means which the board of supervisors finds reasonably calculated to appraise affected landowners of the hearing. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.070 Protests.</p>
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<p>area of benefit may file a written protest against the public facilities project proposed to be undertaken, or against the extent of the area to be benefited by it, or against the facilities benefit assessments proposed to be levied within the area of benefit or against any or all of the foregoing. The protest shall be in writing, signed by the protester, and shall contain a description of the property in which the signer is interested. The description shall be sufficient to clearly identify the property. If the signer is not shown on the last equalized assessment roll as the owner of that property, the protest shall contain or be accompanied by written evidence that the signer is the owner of the property. All such protests shall be delivered to the Board and no other protests or objections shall be considered. Any protests may be withdrawn by the owner's requesting the same, in writing, at any time prior to the conclusion of the public hearing.</p>	<p>At any time not later than the close of the public hearing, any owner of property within the proposed area of benefit may file a written protest against the public facilities project proposed to be undertaken, or against the extent of the area to be benefited by it, or against the facilities benefit assessments proposed to be levied within the area of benefit or against any or all of the foregoing. The protest must be in writing, signed by the protester, and must contain a description of the property in which the signer is interested. The description must be sufficient to clearly identify the property. If the signer is not shown on the last equalized assessment roll as the owner of that property, the protest must contain or be accompanied by written evidence that the signer is the owner of the property. All such protests shall be delivered to the board of supervisors and no other protests or objections shall be considered. Any protests may be withdrawn by the owner's requesting the same, in writing, at any time prior to the conclusion of the public hearing. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>H. Hearing. At the time and place established in the resolution of intention, the Board shall hear and consider protests filed against the proposed public facilities project, the extent of the area of benefit, the amount of the facilities benefit assessments proposed to be levied within the area of benefit, or any or all of the foregoing. The public hearing may be continued from time to time. If within the time when protests may be filed, there is filed with the Board a written protest by the owners of more than one-half of the area of the</p>	<p>22.68.080 Hearing.</p> <p>At the time and place established in the resolution of intention, the board of supervisors shall hear and consider protests filed against the proposed public facilities project, the extent of the area of benefit, the amount of the facilities benefit assessments proposed to be levied within the area of benefit, or any or all of the foregoing. The hearing may be continued from time to time. If within the time when protests may be filed, there is filed with the board of supervisors a written protest by the owners of more than</p>

<p>property proposed to be included within the area of benefit, and if sufficient protests are not withdrawn so as to reduce the area represented to less than one-half, then the proposed proceedings shall be abandoned unless the protests are overruled by an affirmative vote of four-fifths of the members of the Board. The Board shall not overrule a majority protest unless it finds that the public health, safety or general welfare require that provision be made for the installation of the proposed public facilities project(s). In the event a majority protest is not withdrawn or overruled, the Board shall not, for one year from the filing of that written protest, commence or carry on any proceedings for the same public facilities project under the provisions of this Section. If any majority protest which is not withdrawn or overruled is directed against only a portion of the public facilities project, then all further proceedings under the provisions of this Section to construct that portion of the public facilities project so protested against shall be barred for a period of one year; but the Board shall not be barred from commencing new proceedings, not including any part of the public facilities project so protested against. Nothing in this Section shall prohibit the Board within a one-year period, from commencing and carrying on new proceedings for the construction of a portion of the public facilities project so protested against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of</p>	<p>one-half of the area of the property proposed to be included within the area of benefit, and if sufficient protests are not withdrawn so as to reduce the area represented to less than one-half, then the proposed proceedings shall be abandoned unless the protests are overruled by an affirmative vote of four-fifths of the members of the board of supervisors. The board of supervisors shall not overrule a majority protest unless it finds that the public health, safety or general welfare require that provision be made for the installation of the proposed public facilities project(s). In the event a majority protest is not withdrawn or overruled, the board of supervisors shall not, for one year from the filing of that written protest, commence or carry on any proceedings for the same public facilities project under the provisions of this chapter. If any majority protest which is not withdrawn or overruled is directed against only a portion of the public facilities project, then all further proceedings under the provisions of this chapter to construct that portion of the public facilities project so protested against shall be barred for a period of one year; but the board of supervisors shall not be barred from commencing new proceedings, not including any part of the public facilities project so protested against. Nothing in this section shall prohibit the board of supervisors within a one-year period, from commencing and carrying on new proceedings for the construction of a portion of the public facilities project so protested against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such portion of the public facilities project. (Ord. 86-0024 § 1 (part), 1986.)</p>
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<p>the area of the property to be benefited are in favor of going forward with such portion of the public facilities project.</p> <p>I. Resolution of Designation. At the conclusion of the public hearing, and provided there is no majority protest or a majority protest is overruled, the Board may adopt a resolution of designation ordering designation of the area of benefit and the establishment of the amount of the facilities benefit assessment against each parcel within the area of benefit. The resolution shall include the following:</p> <ol style="list-style-type: none">1. A definitive description of the public facilities project(s), the cost of which is to be charged to the properties located within the area of benefit;2. A capital improvement program with respect to the public facilities project;3. The boundaries of the area of benefit;4. The method by which the costs are to be apportioned among the parcels within the area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel;5. The basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed and	<p>22.68.090 Resolution of designation.</p> <p>At the conclusion of the hearing, and provided there is no majority protest or a majority protest is overruled, the board of supervisors may adopt a resolution of designation ordering designation of the area of benefit and the establishment of the amount of the facilities benefit assessment against each parcel within the area of benefit. The resolution shall include the following:</p> <ol style="list-style-type: none">A. A definitive description of the public facilities project(s), the cost of which is to be charged to the properties located within the area of benefit;B. A capital improvement program with respect to the public facilities project;C. The boundaries of the area of benefit;D. The method by which the costs are to be apportioned among the parcels within the area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel;E. The basis and methodology by which automatic annual increases in the facilities benefit assessment will be computed, assessed and levied, without the necessity for
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<p>levied, without the necessity for further proceeding pursuant to Subsection M, below, if, in discretion of the Board, such automatic annual increases are determined to be necessary;</p> <p>6. The amount of the contribution or advance, if any, which the County or other public entity will make toward the total cost.</p> <p>J. Filing of Map and Recording of Notice of Assessment as Lien.</p> <p>1. After the adoption by the Board of a resolution of designation, the Director of Public Works shall prepare a diagram of the boundaries of the area of benefit based on said resolution and shall file same with the Board. The Director of Public Works shall also file a copy of the diagram referred to in this Subsection with the Registrar-Recorder/County Clerk.</p> <p>2. After recording the assessment and diagram, the Director of Public Works shall execute and record a notice of assessment with the Registrar-Recorder/County Clerk.</p> <p>3. From the date of the recording of the notice of assessment in accordance with the provisions of Subsection J.2, above, all persons shall be deemed to have notice of the</p>	<p>further proceeding pursuant to Section 22.68.130, if, in discretion of the board of supervisors, such automatic annual increases are determined to be necessary;</p> <p>F. The amount of the contribution or advance, if any, which the county or other public entity will make toward the total cost. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.100 Filing of map and recording of notice of assessment as lien.</p> <p>A. After the adoption by the board of supervisors of a resolution of designation, the director of public works shall prepare a diagram of the boundaries of the area of benefit based on said resolution and shall file same with the board of supervisors. The director of public works shall also file a copy of the diagram referred to in this subsection in the office of the county recorder.</p> <p>B. After recording the assessment and diagram, the director of public works shall execute and record a notice of assessment in the office of the county recorder.</p> <p>C. From the date of the recording of the notice of assessment in accordance with the provisions of subsection B of this section, all persons shall be deemed to have notice of the contents of such assessment. Immediately upon such recording in the office of the county</p>
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<p>contents of such assessment. Immediately upon such recording with the Registrar-Recorder/County Clerk each of the assessments shall be a lien upon the property against which it is made.</p> <p>4. In its discretion, and for good cause shown, the Board may, upon terms and conditions prescribed by the Board in its resolution of designation or thereafter, allow the lien of the facilities benefit assessment to become subordinate to the lien of deed(s) of trust executed by landowners to secure loans to finance the construction of improvements on the property within the area of benefit.</p> <p>5. The Director of Public Works shall file a copy of the diagram and notice of assessment referred to in this Subsection with the Assessor's Office.</p> <p>K. Payment of Benefit Assessments. After the adoption by the Board of its resolution of designation, no building permits shall be issued for development on any land included within the area of benefit unless and until the facilities benefit assessments established by the resolution of designation for such lands have been paid. The facilities benefit assessment shall be paid by the landowner upon the issuance of building permit(s) for development or at such time as the capital improvement program for the area of</p>	<p>recorder each of the assessments shall be a lien upon the property against which it is made.</p> <p>D. In its discretion, and for good cause shown, the board of supervisors may, upon terms and conditions prescribed by the board of supervisors in its resolution of designation or thereafter, allow the lien of the facilities benefit assessment to become subordinate to the lien of deed(s) of trust executed by landowners to secure loans to finance the construction of improvements on the property within the area of benefit.</p> <p>E. The director of public works shall file a copy of the diagram and notice of assessment referred to in this section with the office of assessor. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.110 Payment of benefit assessments. After the adoption by the board of supervisors of its resolution of designation, no building permits shall be issued for development on any land included within the area of benefit unless and until the facilities benefit assessments established by the resolution of designation for such lands have been paid. The facilities benefit assessment shall be paid by the landowner upon the issuance of building permit(s) for development or at such time as the capital improvement program for the area of benefit in which the assessed land is located calls for the commencement of</p>
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<p>benefit in which the assessed land is located calls for the commencement of construction of the public facilities project. In the event that a landowner desires to proceed with development of a portion of the landowner's property, based on a phased development program, which is subject to a lien for the total amount of facilities benefit assessments as provided in this Section, the landowner may obtain building permits for the development phase after paying a portion of the facilities benefit assessments and making provision for payment of the remainder of the facilities benefit assessments to the satisfaction of the Director of Public Works. Money received by the County as payment of the facilities benefit assessments shall be deposited in a special fund established for the area of benefit and shall therefore be expended solely for the purposes for which it was assessed and levied. Upon payment of the facilities benefit assessment as provided in this Section, the lien which attaches pursuant to Subsection J, above, shall be discharged. In the event the partial payment is made based on a phased construction program, the County shall release the portion of the property for which building permits have been issued from the lien of the facilities benefit assessment.</p>	<p>construction of the public facilities project. In the event that a landowner desires to proceed with development of a portion of the landowner's property, based on a phased development program, which is subject to a lien for the total amount of facilities benefit assessments as provided in this chapter, the landowner may obtain building permits for the development phase after paying a portion of the facilities benefit assessments and making provision for payment of the remainder of the facilities benefit assessments to the satisfaction of the director of public works. Money received by the county as payment of the facilities benefit assessments shall be deposited in a special fund established for the area of benefit and shall therefore be expended solely for the purposes for which it was assessed and levied. Upon payment of the facilities benefit assessment as provided in this chapter, the lien which attaches pursuant to Section 22.68.100 shall be discharged. In the event the partial payment is made based on a phased construction program, the county shall release the portion of the property for which building permits have been issued from the lien of the facilities benefit assessment. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>L. Recordation of Notice of Pendency of Sale or Foreclosure. Where there is a delinquency in payment of the facilities benefit assessments as</p>	<p>22.68.120 Recordation of notice of pendency of sale or foreclosure. Where there is a delinquency in payment of the facilities benefit assessments as required by Section</p>

<p>required by Subsection K, above, the County may initiate foreclosure proceedings in accordance with the procedures set forth in this Section and in any and all applicable state and local laws. If a sale or foreclosure is commenced, notice of the pendency of such sale or foreclosure shall be recorded with the Registrar-Recorder/County Clerk not later than 10 days after commencing an action or proceeding in any court to foreclose the lien of such assessment. The notice of pendency shall state that the County has commenced a sale or foreclosure, as the case may be, and shall refer to and identify such sale or foreclosure and shall describe the property affected thereby. The County shall be entitled to recover the cost of recordation of any such notice of pendency in any sale or foreclosure resulting from such delinquency, and provisions shall be made in any notice, order or judgment authorizing or providing for such sale or foreclosure.</p>	<p>22.68.110, the county may initiate foreclosure proceedings in accordance with the procedures set forth in this section and in any and all applicable state and local laws. If a sale or foreclosure is commenced, notice of the pendency of such sale or foreclosure shall be recorded with the county recorder not later than 10 days after commencing an action or proceeding in any court to foreclose the lien of such assessment. The notice of pendency shall state that the county of Los Angeles has commenced a sale or foreclosure, as the case may be, and shall refer to and identify such sale or foreclosure and shall describe the property affected thereby. The county shall be entitled to recover the cost of recordation of any such notice of pendency in any sale or foreclosure resulting from such delinquency, and provision therefor shall be made in any notice, order or judgment authorizing or providing for such sale or foreclosure. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>M. Annual Adjustment of Facilities Benefit Assessment. The Board may, annually after the adoption of the resolution of designation and subject to the requirements set forth in Subsections D through J, above, cause an adjustment to be made in the facilities benefit assessments established by the resolution. The adjustments may reflect increases or decreases in the actual cost of the public facilities project or if the public facilities project has not yet been constructed then the estimated cost</p>	<p>22.68.130 Annual adjustment of facilities benefit assessment.</p> <p>The board of supervisors may, annually after the adoption of the resolution of designation and subject to the requirements set forth in Sections 22.68.040 through 22.68.100, cause an adjustment to be made in the facilities benefit assessments established by the resolution. The adjustments may reflect increases or decreases in the actual cost of the public facilities project or if the public facilities project has not yet been constructed then the estimated cost of the proposed capital improvements as reflected in changes in the scope of the public facilities project or any</p>

<p>of the proposed capital improvements as reflected in changes in the scope of the public facilities project or any other indices as the Board may deem appropriate for this purpose. The modifications may also reflect changes in the improvements proposed to be constructed as well as the availability, or lack thereof of other funds with which to construct the capital improvements.</p>	<p>other indices as the board of supervisors may deem appropriate for this purpose. The modifications may also reflect changes in the improvements proposed to be constructed as well as the availability, or lack thereof of other funds with which to construct the capital improvements. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>N. Consideration in Lieu of Assessment.</p> <p>1. The provisions of Subsection J, above, to the contrary notwithstanding, upon application by the landowner or his authorized agent, the Board may accept consideration in lieu of the facilities benefit assessments required pursuant to this Section, provided the Board, upon recommendation of the Director of Public Works, finds that the substitute consideration proposed:</p> <ul style="list-style-type: none">a. Has a value equal to or greater than such facilities benefit assessments;b. Is in a form acceptable to the Board; andc. Is within the scope of the public facilities project. <p>2. The Board may accept consideration in lieu of the</p>	<p>22.68.140 Consideration in lieu of assessment.</p> <p>A. The provisions of Section 22.80.100 to the contrary notwithstanding, upon application by the landowner or his authorized agent, the board of supervisors may accept consideration in lieu of the facilities benefit assessments required pursuant to this chapter, provided the board of supervisors, upon recommendation of the director of public works, finds that the substitute consideration proposed:</p> <ul style="list-style-type: none">1. Has a value equal to or greater than such facilities benefit assessments;2. Is in a form acceptable to the board of supervisors; and3. Is within the scope of the public facilities project. <p>B. The board of supervisors may accept consideration in lieu of the facilities benefit assessments required pursuant to this chapter where the board of supervisors finds that the</p>

<p>facilities benefit assessments required pursuant to this Section where the Board finds that the substitute consideration proposed is less than the value of such facilities benefit assessment after payment of an amount equal to the difference between the value of the substitute consideration as determined by the Board and the amount of such facilities benefit assessments.</p>	<p>substitute consideration proposed is less than the value of such facilities benefit assessment after payment of an amount equal to the difference between the value of the substitute consideration as determined by the board of supervisors and the amount of such facilities benefit assessments. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>O. Termination of Area of Benefit. Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the Board may initiate proceedings for the termination of an area of benefit by adopting a resolution stating its intention. The resolution of intention shall state the time and place at which the Board will hold a hearing to consider such termination. If, at the conclusion of such hearing, the Board finds and determines that the public facilities project for which the area was originally formed will not be required in the reasonably foreseeable future, or that the installation of said public facilities project may be financed more effectively by another method, the Board may adopt a resolution declaring the area of benefit terminated.</p>	<p>22.68.150 Termination of area of benefit.</p> <p>Upon the receipt of an application by a landowner or his designated agent, or on its own motion, the board of supervisors may initiate proceedings for the termination of an area of benefit by adopting a resolution stating its intention. The resolution of intention shall state the time and place at which the board of supervisors will hold a hearing to consider such termination. If, at the conclusion of such hearing, the board of supervisors finds and determines that the public facilities project for which the area was originally formed will not be required in the reasonably foreseeable future, or that the installation of said public facilities project may be financed more effectively by another method, the board of supervisors may adopt a resolution declaring the area of benefit terminated. (Ord. 86-0024 § 1 (part), 1986.)</p> <p>22.68.160 Reimbursement and refund.</p>
<p>P. Reimbursement and Refund.</p> <p>1. In the event of an annual adjustment of assessment as</p>	<p>A. In the event of an annual adjustment of assessment as provided by Section 22.68.130, which reduces the facilities benefit assessment, amounts in the special fund</p>

<p>provided by Subsection M, above, which reduces the facilities benefit assessment amounts in the special fund which are no longer required shall be refundable to the current owner(s) of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments.</p> <p>2. In the event the Board agrees to accept consideration in lieu of facilities benefit assessments as provided by Subsection N, above, the value of which the Board finds is greater than the amount of the otherwise applicable facilities benefit assessments, the Board may enter into an agreement with a developer pursuant to which said developer may be reimbursed for the amount of the otherwise applicable facilities benefit assessments. The agreement shall set forth the amount to be reimbursed, and the time and manner in which payments shall be made only from revenues paid into the special fund created for the area of benefit.</p> <p>3. Upon termination of an area of benefit as provided by Subsection O, above, any money remaining in the special fund established in connection therewith shall be refunded to the current</p>	<p>which are no longer required shall be refundable to the current owner(s) of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments.</p> <p>B. In the event the board of supervisors agrees to accept consideration in lieu of facilities benefit assessments as provided by Section 22.68.140, the value of which the board of supervisors finds is greater than the amount of the otherwise applicable facilities benefit assessments, the board of supervisors may enter into an agreement with a developer pursuant to which said developer may be reimbursed for the amount of the otherwise applicable facilities benefit assessments. The agreement shall set forth the amount to be reimbursed, and the time and manner in which payments shall be made only from revenues paid into the special fund created for the area of benefit.</p> <p>C. Upon termination of an area of benefit as provided by Section 22.68.150, any money remaining in the special fund established in connection therewith shall be refunded to the current owner(s) of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments. (Ord. 86-0024 § 1 (part), 1986.)</p>
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<p>owner(s) of the property as shown on the last equalized assessment roll in proportion to the amount of the original payments.</p> <p>Q. Alternative Method. This Subsection Q is intended to establish an alternative method for the spreading of the costs of certain public improvements against the lands which will be benefited thereby; and the provisions of this Subsection shall not be construed to limit the power of the Board to utilize any other method for accomplishing this purpose but shall be in addition to any other requirements which the Board is authorized to impose as a condition to approving new development pursuant to state and local laws.</p>	<p>22.68.170 Alternative method.</p> <p>This chapter is intended to establish an alternative method for the spreading of the costs of certain public improvements against the lands which will be benefited thereby; and the provisions of this chapter shall not be construed to limit the power of this board of supervisors to utilize any other method for accomplishing this purpose but shall be in addition to any other requirements which the board of supervisors is authorized to impose as a condition to approving new development pursuant to state and local laws. (Ord. 86-0024 § 1 (part), 1986.)</p>
<p>22.150.040 Major Projects Review Trust Funds</p> <p>A. Major Projects. A major project is defined as any project so determined by the Director for which the planning or processing of requests for entitlements will impact County departmental resources.</p> <p>B. Creation of the Funds.</p> <ol style="list-style-type: none"> 1. There are hereby authorized within the treasury of the County of Los Angeles special trust funds to be known as the "Major Projects Review Trust Funds." 2. Each fund shall be used to provide additional human and physical resources to the 	<p>22.70.010 Major projects.</p> <p>A major project is defined as any project so determined by the director of planning for which the planning or processing of requests for entitlements will impact county departmental resources. (Ord. 93-0075 § 1 (part), 1993.)</p> <p>22.70.020 Creation of the funds.</p> <p>A. There are hereby authorized within the treasury of the county of Los Angeles special trust funds to be known as the "Major Projects Review Trust Funds."</p> <p>B. Each fund shall be used to provide additional human and physical resources to</p>

<p>County solely to process discretionary land use actions and to prepare and/or review associated environmental documents for major projects proposed in the County.</p> <p>C. Administration of the Funds.</p> <ol style="list-style-type: none">1. Each fund shall be administered by the Department to provide for necessary staffing, expense and equipment for the aforesaid purposes only, and in accordance with established County practices.2. Each fund shall be interest bearing, and a separate fund shall be established for each major project.3. All amounts received from a project applicant under a supplemental service agreement, as defined in Subsection D, below, shall be placed in the fund established for that major project. Notwithstanding any other ordinances to the contrary, when a project applicant enters into a supplemental service agreement with the County, any fees paid by that applicant related to processing the discretionary land use actions shall be placed within the fund and not in the general fund. Funds from any appropriation to the fund approved by the Board shall be placed in the fund.	<p>the county of Los Angeles solely to process discretionary land use actions and to prepare and/or review associated environmental documents for major projects proposed in the county of Los Angeles. (Ord. 93-0075 § 1 (part), 1993.)</p> <p>22.70.030 Administration of the funds.</p> <ol style="list-style-type: none">A. Each fund shall be administered by the planning department to provide for necessary staffing, expense and equipment for the aforesaid purposes only, and in accordance with established county practices.B. Each fund shall be interest bearing, and a separate fund shall be established for each major project.C. All amounts received from a project applicant under a supplemental service agreement, as defined in Section 22.70.040 of this chapter, shall be placed in the fund established for that major project. Notwithstanding any other ordinances to the contrary, when a project applicant enters into a supplemental service agreement with the county, any fees paid by that applicant related to processing the discretionary land use actions shall be placed within the fund and not in the general fund. Funds from any appropriation to the fund approved by the board of supervisors shall be placed in the fund.
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<p>4. The Department shall be responsible for maintaining the accounting records relating to each fund.</p> <p>5. The Board declares its intention to authorize positions necessary to carry out the work programs provided for in each supplemental service agreement for the fiscal year, which positions and related expenses will be funded from the fund. The Chief Executive Officer may authorize interim staffing during the fiscal year when needed to provide for necessary adjustments in personnel during any quarterly period.</p> <p>6. The County services authorized by this Section shall be paid for at rates sufficient to provide for the full recovery of the costs to the County of providing the services, and the rates shall be reviewed and approved by the Auditor-Controller.</p> <p>D. Supplemental Fee Agreement.</p> <p>1. Any supplemental service agreement entered into pursuant to this Section shall be negotiated by the Department and executed by the Chief Executive Officer.</p> <p>2. The agreement shall include, but need not be limited to, substantially the following provisions:</p>	<p>D. The planning department shall be responsible for maintaining the accounting records relating to each fund.</p> <p>E. The board of supervisors declares its intention to authorize positions necessary to carry out the work programs provided for in each supplemental service agreement for the fiscal year, which positions and related expenses will be funded from the fund. The chief administrative officer may authorize interim staffing during the fiscal year when needed to provide for necessary adjustments in personnel during any quarterly period.</p> <p>F. The county services authorized by this chapter shall be paid for at rates sufficient to provide for the full recovery of the costs to the county of providing the services, and the rates shall be reviewed and approved by the auditor controller. (Ord. 93-0075 § 1 (part), 1993.)</p> <p>22.70.040 Supplemental fee agreement.</p> <p>A. Any supplemental service agreement entered into pursuant to this chapter shall be negotiated by the planning department and executed by the chief administrative officer.</p> <p>B. The agreement shall include, but need not be limited to, substantially the following provisions:</p>
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<p>a. The County and the applicant, hereinafter referred to as the “parties,” shall agree upon the processing services which will be required to process the discretionary land use actions, including environmental reviews, and the personnel, estimated time and physical resources which the County will need to accomplish those processing services.</p> <p>b. The parties shall agree on the number and type of employees that the County shall assign to perform the processing services with the understanding that one or more employees may be utilized to perform any designated tasks and that the County may replace any employee that is assigned to perform a processing service at any time.</p> <p>c. The costs which are to be funded shall consist of the actual costs to the County which include, but are not limited to: wages, other benefits, and overhead, which are incurred in</p>	<p>1. The county and the applicant, hereinafter referred to as the “parties,” shall agree upon the processing services which will be required to process the discretionary land use actions, including environmental reviews, and the personnel, estimated time and physical resources which the county will need to accomplish those processing services.</p> <p>2. The parties shall agree on the number and type of employees that the county shall assign to perform the processing services with the understanding that one or more employees may be utilized to perform any designated tasks and that the county may replace any employee that is assigned to perform a processing service at any time.</p> <p>3. The costs which are to be funded shall consist of the actual costs to the county which include, but are not limited to: wages, other benefits, and overhead, which are incurred in connection with the employees assigned to perform the processing services for the major</p>
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<p>connection with the employees assigned to perform the processing services for the major project, the direct costs of material and equipment required to furnish the processing services, the reasonable out-of-pocket expenses incurred by any employee assigned to furnish the processing services, and the costs of hiring outside consultants necessary to provide the County with special expertise.</p> <p>d. The applicant shall deposit funds into a fund for that major project on a quarterly basis in an amount estimated to pay for the costs of providing the processing services for the following quarterly period.</p> <p>e. The parties shall meet quarterly during the term of the agreement to review the amount of funds remaining in the fund and to review, reevaluate and negotiate in good faith the number and type of employees necessary to accomplish the processing services for</p>	<p>project, the direct costs of material and equipment required to furnish the processing services, the reasonable out-of-pocket expenses incurred by any employee assigned to furnish the processing services, and the costs of hiring outside consultants necessary to provide the county with special expertise.</p> <p>4. The applicant shall deposit funds into a fund for that major project on a quarterly basis in an amount estimated to pay for the costs of providing the processing services for the following quarterly period.</p> <p>5. The parties shall meet quarterly during the term of the agreement to review the amount of funds remaining in the fund and to review, reevaluate and negotiate in good faith the number and type of employees necessary to accomplish the processing services for the next quarterly period and the estimated costs therefor.</p>
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<p>the next quarterly period and the estimated costs for the services.</p> <p>f. The Department shall promptly advise the applicant if, at any time during the quarterly period, the Department believes that the costs of accomplishing the processing services for the quarterly period will exceed the previous estimate.</p> <p>g. The parties shall agree to a procedure for deposit of additional funds if the existing funds are not adequate to pay for the agreed upon services for the quarterly period.</p> <p>h. The involved County departments shall maintain appropriate records of their actual costs of the processing services.</p> <p>i. Entering into the agreement is voluntary.</p> <p>j. The agreement shall not control, limit or influence any County approval, disapproval or condition of any discretionary land use action or associated environmental</p>	<p>6. The planning department shall promptly advise the applicant if, at any time during the quarterly period, the planning department believes that the costs of accomplishing the processing services for the quarterly period will exceed the previous estimate.</p> <p>7. The parties shall agree to a procedure for deposit of additional funds if the existing funds are not adequate to pay for the agreed upon services for the quarterly period.</p> <p>8. The involved county departments shall maintain appropriate records of their actual costs of the processing services.</p> <p>9. Entering into the agreement is voluntary.</p> <p>10. The agreement shall not control, limit or influence any county approval, disapproval or condition of any discretionary land use action or associated environmental document. The county has the sole discretion to direct the work of any county employee or consultant</p>
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document. The County has the sole discretion to direct the work of any County employee or consultant retained to evaluate, or to assist with the preparation of, any discretionary land use action or associated environmental document. The cooperation of any such employee or consultant shall be exclusively determined by the County and shall not be dependent upon the approval by the County of any discretionary land use action. The agreement is not contingent upon the hiring of any specific employee or the retention of any specific consultant.

retained to evaluate, or to assist with the preparation of, any discretionary land use action or associated environmental document. The cooperation of any such employee or consultant shall be exclusively determined by the county and shall not be dependent upon the approval by the county of any discretionary land use action. The agreement is not contingent upon the hiring of any specific employee or the retention of any specific consultant. (Ord. 93-0075 § 1 (part), 1993.)

**22.150.050 Library Facilities
Mitigation Fee**

A. **Purpose.** The purpose of this Section is:

1. To implement certain goals and policies of the Los Angeles County General Plan, which goals and policies promote an equitable distribution of the costs and benefits of governmental actions, promote a distribution of population consistent with

22.72.010 Purpose.

The purpose of this chapter is:

(A) to implement certain goals and policies of the county of Los Angeles general plan, which goals and policies promote an equitable distribution of the costs and benefits of governmental actions, promote a distribution of population consistent with service system capacity and resource availability, seek to

<p>service system capacity and resource availability, seek to maintain a balance between increased intensity of development and the capacity of needed public facilities, and give priority to upgrading existing facilities in areas lacking adequate facilities;</p> <p>2. To mitigate any significant adverse impacts of increased residential development upon public library facilities as required by the California Environmental Quality Act (Section 21000 et. seq. of the State Public Resources Code); and</p> <p>3. To implement the Mitigation Fee Act (Section 66000 et. seq. of the State Government Code).</p> <p>B. Definitions. For the purposes of this chapter, the following definitions apply:</p> <p>1. Appropriated. Authorization by the Board to make expenditures and incur obligations for specific purposes.</p> <p>2. Capital improvement plan. A plan indicating the approximate location, size, time of availability and estimates of cost for all library facilities to be financed with library facilities mitigation fees. A capital improvement plan shall be adopted and annually</p>	<p>maintain a balance between increased intensity of development and the capacity of needed public facilities, and give priority to upgrading existing facilities in areas lacking adequate facilities;</p> <p>(B) to mitigate any significant adverse impacts of increased residential development upon public library facilities as required by the California Environmental Quality Act, Public Resources Code Section 21000 et seq.; and</p> <p>(C) to implement the Mitigation Fee Act, Government Code Section 66000 et seq. (Ord. 98-0068 § 2 (part), 1998.)</p> <p>22.72.020 Definitions.As used in this chapter:</p> <p>A. "Appropriated" means authorization by the board of supervisors to make expenditures and incur obligations for specific purposes.</p> <p>B. "Capital improvement plan" means a plan indicating the approximate location, size, time of availability and estimates of cost for all library facilities to be financed with library facilities mitigation fees. A capital improvement plan shall be adopted and annually updated by the board of supervisors in accordance with Government Code Section 66002.</p>
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<p>updated by the Board in accordance with Section 66002 of the State Government Code.</p> <p>3. Library facilities. Public library improvements and public library services and community amenities, the need for which is directly or indirectly generated by a residential development project, including but not limited to acquiring, through purchase, lease, lease-purchase, installment purchase or otherwise, improving, constructing, altering, repairing, augmenting, equipping and furnishing real property, buildings, equipment, materials and other facilities for the conduct of public library services and programs; providing collection development and maintenance, including acquiring books, magazines, newspapers, audio-visual, electronic media, and other informational materials; and all other auxiliary work which may be required to carry out that work, such as administrative, engineering, architectural and legal work performed in connection with establishing, implementing and monitoring such projects, indirect costs, and other incidental expenses of providing those library facilities, or all or any</p>	<p>C. "Library facilities" means public library improvements and public library services and community amenities, the need for which is directly or indirectly generated by a residential development project, including but not limited to acquiring, through purchase, lease, lease-purchase, installment purchase or otherwise, improving, constructing, altering, repairing, augmenting, equipping and furnishing real property, buildings, equipment, materials and other facilities for the conduct of public library services and programs; providing collection development and maintenance, including acquiring books, magazines, newspapers, audio-visual, electronic media, and other informational materials; and all other auxiliary work which may be required to carry out that work, such as administrative, engineering, architectural and legal work performed in connection with establishing, implementing and monitoring such projects, indirect costs, and other incidental expenses of providing those library facilities, or all or any combination thereof.</p>
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combination thereof.

4. **Library planning area.** One of seven planning areas, the boundaries of which are depicted in the “Report on Proposed Developer Fee Program for Library Facilities—Prepared by the County of Los Angeles Public Library, October 1998” on file with the County Chief Executive Office, each of which includes related territories in the unincorporated portions of the County which are within the service area of the County public library. The seven library planning areas are:

TABLE 22.150.050.B: PLANNING AREAS

Planning Area 1: Santa Clarita Valley
Planning Area 2: Antelope Valley
Planning Area 3: West San Gabriel Valley
Planning Area 4: East San Gabriel Valley
Planning Area 5: Southeast
Planning Area 6: Southwest
Planning Area 7: Santa Monica Mountains

5. **Mitigation fee.** A monetary exaction other than a tax or special assessment that is collected under the terms of this Section to provide funds for library facilities related to a residential development project.
6. **Residential development**

D. “Library planning area” means one of seven planning areas, the boundaries of which are depicted in the “Report on Proposed Developer Fee Program for Library Facilities-- Prepared by the County of Los Angeles Public Library, October 1998” on file in the executive office of the county of Los Angeles, each of which includes related territories in the unincorporated portions of the county of Los Angeles which are within the service area of the county public library. The seven library planning areas are:
 Planning Area 1: Santa Clarita Valley
 Planning Area 2: Antelope Valley
 Planning Area 3: West San Gabriel Valley
 Planning Area 4: East San Gabriel Valley
 Planning Area 5: Southeast
 Planning Area 6: Southwest
 Planning Area 7: Santa Monica Mountains

E. “Mitigation fee” means a monetary exaction other than a tax or special assessment that is collected under the terms of this chapter to provide funds for library facilities related to a residential development project.

F. “Residential development project” means any activity which requires approval by the county resulting in the issuance of grading, building, plumbing, mechanical or electrical

project. Any activity which requires approval by the County resulting in the issuance of grading, building, plumbing, mechanical or electrical permits or certificates of occupancy to construct or change the use of a building or property for residential use.

permits or certificates of occupancy to construct or change the use of a building or property for residential use. (Ord. 98-0068 § 2 (part), 1998.)

C. Establishment of Library Facilities Mitigation Fee.*

22.72.030 Establishment of library facilities mitigation fee.*

1. There is hereby established a library facilities mitigation fee. The amount of the fee to be imposed on a residential development project is based upon the findings and conclusions of the County Librarian, as set forth in the "Report on Proposed Developer Fee Program for Library Facilities—Prepared by the County of Los Angeles Public Library, October 1998," and shall not exceed the estimated reasonable cost of providing library facilities for such residential development project.

A. There is hereby established a library facilities mitigation fee. The amount of the fee to be imposed on a residential development project is based upon the findings and conclusions of the county librarian, as set forth in the "Report on Proposed Developer Fee Program for Library Facilities--Prepared by the County of Los Angeles Public Library, October 1998," and shall not exceed the estimated reasonable cost of providing library facilities for such residential development project.

B. The library facilities mitigation fee shall be a uniform fee within each library planning area based on the estimated cost of providing the projected library facility needs in each library planning area, as follows:

Planning Area 1: Santa Clarita Valley per dwelling unit	\$829.00
Planning Area 2: Antelope Valley per dwelling unit	\$804.00

TABLE 22.150.050.C: LIBRARY FACILITIES MITIGATION FEE

Planning Area 1: Santa Clarita Valley per dwelling	\$805.00
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unit		Planning Area 3: West San Gabriel Valley per dwelling unit	\$839.00
Planning Area 2: Antelope Valley per dwelling unit	\$781.00	Planning Area 4: East San Gabriel Valley per dwelling unit	\$7.00
Planning Area 3: West San Gabriel Valley per dwelling unit	\$815.00	Planning Area 5: Southeast per dwelling unit	\$830.00
Planning Area 4: East San Gabriel Valley per dwelling unit	\$803.00	Planning Area 6: Southwest per dwelling unit	\$836.00
Planning Area 5: Southeast per dwelling unit	\$806.00	Planning Area 7: Santa Monica Mountains per dwelling unit	\$832.00
Planning Area 6: Southwest per dwelling unit	\$808.00		
Planning Area 7: Santa Monica Mountains per dwelling unit	\$808.00		

2. The library facilities mitigation fee shall be a uniform fee within each library planning area based on the estimated cost of providing the projected library facility needs in each library planning area, as follows:

3. follows:

*Editor's note: Fee changes in this section include changes made by the County Librarian due to increases in the Consumer Price Index and are effective July 1, 2010.

D. Annual Review of Fee.

1. The amount of the fee established by Subsection C above shall be reviewed annually by the County Librarian, in consultation with the Auditor-Controller. On July 1st of each year, the fee in each library planning area shall be adjusted as follows: calculate the percentage movement between April 1st of the previous year and March 31st of the current year in the Consumer Price Index (CPI) for all urban consumers

(Ord. 98-0068 § 2 (part), 1998.)

***Editor's note:** Fee changes in this section include changes made by the county librarian due to increases in the Consumer Price Index and are effective July 1, 2011.

22.72.040 Annual review of fee.

A. The amount of the fee established by Section 22.72.030 shall be reviewed annually by the county librarian, in consultation with the county auditor-controller. On July 1st of each year, the fee in each library planning area shall be adjusted as follows: calculate the percentage movement between April 1st of the previous year and March 31st of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles, Anaheim and Riverside areas, as published by the United States Government Bureau of Labor Statistics, adjust the fee in each library planning area by said percentage amount and

<p>in the Los Angeles, Anaheim and Riverside areas, as published by the United States Government Bureau of Labor Statistics, adjust the fee in each library planning area by said percentage amount and round to the nearest dollar. No adjustment shall increase or decrease the fee to an amount more or less than the amount necessary to recover the cost of providing the applicable library facilities.</p> <p>2. If it is determined that the reasonable amount necessary to recover the cost of providing the library facilities exceeds the fee as adjusted by Subsection D.1, above, the County Librarian shall present an alternative fee proposal to the Board for consideration. Such proposal may reflect increases or decreases in the actual cost of library facilities projects or, if such projects have not been completed, then the estimated cost of the proposed library facilities. The proposal may also reflect changes in the library facilities proposed as well as the availability or lack of other funds with which to provide such facilities.</p> <p>3. The County Librarian shall also present an alternative fee proposal to the Board for approval as may be necessary to ensure that the library</p>	<p>round to the nearest dollar. No adjustment shall increase or decrease the fee to an amount more or less than the amount necessary to recover the cost of providing the applicable library facilities.</p> <p>B. If it is determined that the reasonable amount necessary to recover the cost of providing the library facilities exceeds the fee as adjusted by subsection A above, the county librarian shall present an alternative fee proposal to the board of supervisors for consideration. Such proposal may reflect increases or decreases in the actual cost of library facilities projects or, if such projects have not been completed, then the estimated cost of the proposed library facilities. The proposal may also reflect changes in the library facilities proposed as well as the availability or lack of other funds with which to provide such facilities.</p> <p>C. The county librarian shall also present an alternative fee proposal to the board of supervisors for approval as may be necessary to insure that the library facilities mitigation fee is a fair and equitable method of distributing</p>
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facilities mitigation fee is a fair and equitable method of distributing the costs of the library facilities necessary to accommodate the library needs generated by the development of land in the unincorporated areas of the County among the developments which will generate the increased library needs and usage.

the costs of the library facilities necessary to accommodate the library needs generated by the development of land in the unincorporated areas of the county among the developments which will generate the increased library needs and usage. (Ord. 98-0068 § 2 (part), 1998.)

E. Applicability.

22.72.050 Applicability.

1. The provisions of this Section shall apply only to residential development projects which, as of the effective date of the ordinance codified in this Section,* are yet to receive final discretionary approval and/or the issuance of a building permit or other development right and to any new residential use of existing buildings which has not yet commenced as of said effective date.

A. The provisions of this chapter shall apply only to residential development projects which, as of the effective date of the ordinance codified in this chapter,* are yet to receive final discretionary approval and/or the issuance of a building permit or other development right and to any new residential use of existing buildings which has not yet commenced as of said effective date.

2. No tract map, parcel map, conditional use permit, other land use permit or other entitlement shall be approved unless payment of the library facilities mitigation fee is made a condition of approval for any such entitlement.

B. No tract map, parcel map, conditional use permit, other land use permit or other entitlement shall be approved unless payment of the library facilities mitigation fee is made a condition of approval for any such entitlement. (Ord. 98-0068 § 2 (part), 1998.)

* Editor's note: Ordinance 98-0068, which enacts Ch. 22.72, is effective December 26, 1998.

* Editor's note: Ordinance 98-0068, which enacts Section 22.150.040 (Ch. 22.72 at that time), is effective December 26, 1998.

F. Time of Payment of Fee.

22.72.060 Time of payment of fee.

<p>1. No building or similar permit for residential use shall be issued and no new residential use of an existing building shall occur until the applicant has paid the applicable library facilities mitigation fee to the County Librarian. In the event that an applicant desires to proceed with development of a portion of the residential development project, the applicant may obtain building permits for that portion of the project after paying a proportional share of the total library facilities mitigation fee for the project to the satisfaction of the County Librarian.</p> <p>2. The provisions of Subsection F.1, above, shall apply to payment of the library facilities mitigation fee for a residential development project if the fee will reimburse the County for expenditures already made, or if the County has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the library facilities to be financed by the fee. In all other cases, notwithstanding the provisions of Subsection F.1, above, payment of the fee for a residential development project shall not be required prior to the date of the final inspection or the date the</p>	<p>A. No building or similar permit for residential use shall be issued and no new residential use of an existing building shall occur until the applicant has paid the applicable library facilities mitigation fee to the county librarian. In the event that an applicant desires to proceed with development of a portion of the residential development project, the applicant may obtain building permits for that portion of the project after paying a proportional share of the total library facilities mitigation fee for the project to the satisfaction of the county librarian.</p> <p>B. The provisions of subsection A above shall apply to payment of the library facilities mitigation fee for a residential development project if the fee will reimburse the county for expenditures already made, or if the county has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the library facilities to be financed by the fee. In all other cases, notwithstanding the provisions of subsection A above, payment of the fee for a residential development project shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first dwelling in the development, whichever occurs first. In such cases, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such agreement shall constitute a lien for the payment of the fee and</p>
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<p>certificate of occupancy is issued for the first dwelling in the development, whichever occurs first. In such cases, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such agreement shall constitute a lien for the payment of the fee and shall be enforceable as provided in State Government Code Section 66007.</p>	<p>shall be enforceable as provided in Government Code Section 66007. (Ord. 98-0068 § 2 (part), 1998.)</p>
<p>G. Exemptions From Fee. The following shall be exempt from the provisions of this Section:</p> <ol style="list-style-type: none">1. Individual single-family residences where not more than one such residence is proposed to be built by the same person or entity on contiguous lots; or2. Additions or modifications to existing residential units, provided that such additions or modifications do not increase the number of families that can be housed in such residential units.	<p>22.72.070 Exemptions from fee.</p> <p>The following shall be exempt from the provisions of this chapter:</p> <p>A. Individual single-family residences where not more than one such residence is proposed to be built by the same person or entity on contiguous lots or parcels of land; or</p> <p>B. Additions or modifications to existing residential units, provided that such additions or modifications do not increase the number of families that can be housed in such residential units. (Ord. 98-0068 § 2 (part), 1998.)</p>
<p>H. Deposit and Use of Fees Collected. All library facilities mitigation fees received by the County shall be deposited in a special library capital facilities fund and expended solely for the purposes for which the fee was collected. A separate library capital</p>	<p>22.72.080 Deposit and use of fees collected.</p> <p>All library facilities mitigation fees received by the county shall be deposited in a special library capital facilities fund and expended solely for the purposes for which the fee was collected. A separate library capital facilities</p>

<p>facilities fund account shall be established for each of the seven library planning areas. All interest income earned shall be credited to each account and shall be used solely for the purposes for which the fee was collected.</p>	<p>fund account shall be established for each of the seven library planning areas. All interest income earned shall be credited to each account and shall be used solely for the purposes for which the fee was collected. (Ord. 98-0068 § 2 (part), 1998.)</p>
<p>I. Consideration in Lieu of Fee.</p>	
<p>1. The County Librarian may accept substitute consideration in lieu of the library facilities mitigation fee required pursuant to this Section, provided the County Librarian finds that the proposed substitute consideration:</p>	<p>22.72.090 Consideration in lieu of fee.</p> <p>A. The county librarian may accept substitute consideration in lieu of the library facilities mitigation fee required pursuant to this chapter, provided the county librarian finds that the proposed substitute consideration:</p>
<p>a. Has a value equal to or greater than the applicable library facilities mitigation fee otherwise due;</p>	<p>1. Has a value equal to or greater than the applicable library facilities mitigation fee otherwise due;</p>
<p>b. Is in a form acceptable to the County Librarian; and</p>	<p>2. Is in a form acceptable to the county librarian; and</p>
<p>c. Is within the scope of the applicable library facilities project.</p>	<p>3. Is within the scope of the applicable library facilities project.</p>
<p>2. The County Librarian may accept substitute consideration in lieu of a portion of the library facilities mitigation fee required pursuant to this Section where he or she finds that the substitute consideration proposed is less than the value of the required fee but is</p>	<p>B. The county librarian may accept substitute consideration in lieu of a portion of the library facilities mitigation fee required pursuant to this chapter where he or she finds that the substitute consideration proposed is less than the value of the required fee but is in a form acceptable to the county librarian and is within the scope of the applicable library facilities project. Such substitute consideration may be accepted by the county librarian only after</p>

<p>in a form acceptable to the County Librarian and is within the scope of the applicable library facilities project. Such substitute consideration may be accepted by the County Librarian only after payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the County Librarian, and the amount of the otherwise required fee.</p>	<p>payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the county librarian, and the amount of the otherwise required fee. (Ord. 98-0068 § 2 (part), 1998.)</p>
<p>J. Reimbursement. The provisions of Subsection I, above, shall not prevent the execution of a reimbursement agreement between the County and a developer for that portion of the cost of library facilities paid by the developer which exceeds the need for the library facilities attributable to and reasonably related to the development.</p>	<p>22.72.100 Reimbursement.</p> <p>The provisions of Section 22.72.090 shall not prevent the execution of a reimbursement agreement between the county and a developer for that portion of the cost of library facilities paid by the developer which exceeds the need for the library facilities attributable to and reasonably related to the development. (Ord. 98-0068 § 2 (part), 1998.)</p>
<p>K. Alternative Method. This Subsection is intended to establish an alternative method for the financing of public library facilities, the need for which is generated directly or indirectly by a residential development project or projects. The provisions of this Subsection shall not be construed to limit the power of the County to utilize any other method for accomplishing this purpose but shall be in addition to any other fees or requirements which the Board is authorized to impose as a condition to approving new development pursuant to state and local laws.</p>	<p>22.72.110 Alternative method.</p> <p>This chapter is intended to establish an alternative method for the financing of public library facilities, the need for which is generated directly or indirectly by a residential development project or projects. The provisions of this chapter shall not be construed to limit the power of the county to utilize any other method for accomplishing this purpose but shall be in addition to any other fees or requirements which the board of supervisors is authorized to impose as a condition to approving new development pursuant to state and local laws. (Ord. 98-0068 § 2 (part), 1998.)</p>

22.150.060 Law Enforcement Facilities Fee	
<p>A. Purpose. The purpose of this Section is:</p> <ol style="list-style-type: none">1. To implement goals and policies of the County of Los Angeles General Plan with respect to the unincorporated urban expansion areas of Santa Clarita, Newhall, and Gorman, which goals and policies promote an equitable distribution of the costs and benefits of governmental actions; promote a distribution of population consistent with service system capacity and resource availability; seek to maintain a balance between increased intensity of development and the capacity of needed public facilities; and give priority to upgrading existing public facilities in areas lacking adequate facilities;2. To mitigate adverse impacts due to the inadequacy of law enforcement facilities that might otherwise occur due to new development; and3. To comply with the procedures for adoption of developer fees contained in the Mitigation Fee Act, State Government Code Section 66000, et seq.	<p>22.74.010 Purpose.</p> <p>The purpose of this chapter is:</p> <p>A. To implement goals and policies of the County of Los Angeles General Plan with respect to the unincorporated urban expansion areas of Santa Clarita, Newhall, and Gorman, which goals and policies promote an equitable distribution of the costs and benefits of governmental actions; promote a distribution of population consistent with service system capacity and resource availability; seek to maintain a balance between increased intensity of development and the capacity of needed public facilities; and give priority to upgrading existing public facilities in areas lacking adequate facilities;</p> <p>B. To mitigate adverse impacts due to the inadequacy of law enforcement facilities that might otherwise occur due to new development; and</p> <p>C. To comply with the procedures for adoption of developer fees contained in the Mitigation Fee Act, Government Code section 66000, et seq. (Ord. 2008-0033 § 2 (part), 2008.)</p>
<p>B. Definitions. As used in this Section:</p> <ol style="list-style-type: none">1. Appropriated. Authorization	<p>22.74.020 Definitions.</p>

<p>by the Board to make expenditures and incur obligations for specific purposes.</p> <p>2. Capital improvement plan. A plan indicating the approximate location, size, time of availability, and estimates of cost for law enforcement facilities to be financed with law enforcement facilities mitigation fees. A capital improvement plan shall be adopted and annually updated by the Board in accordance with State Government Code Section 66002.</p> <p>3. Commercial. Retail, education, hotels/motels, places of religious worship, and other similar buildings.</p> <p>4. Industrial Manufacturing, warehousing, and similar industrial buildings.</p> <p>5. Law enforcement facilities. Law enforcement improvements and amenities, the need for which is directly or indirectly generated by a residential, commercial, office, and/or industrial development project, including but not limited to acquiring, through purchase, lease, lease-purchase, installment purchase, or otherwise; improving, constructing, altering, repairing, augmenting, equipping, and</p>	<p>As used in this chapter:</p> <p>A. "Appropriated" means authorization by the board of supervisors to make expenditures and incur obligations for specific purposes.</p> <p>B. "Capital improvement plan" means a plan indicating the approximate location, size, time of availability, and estimates of cost for law enforcement facilities to be financed with law enforcement facilities mitigation fees. A capital improvement plan shall be adopted and annually updated by the board of supervisors in accordance with Government Code section 66002.</p> <p>C. "Commercial" means retail, education, hotels/motels, places of religious worship, and other similar buildings.</p> <p>D. "Industrial" means manufacturing, warehousing, and similar industrial buildings.</p> <p>E. "Law enforcement facilities" means law enforcement improvements and amenities, the need for which is directly or indirectly generated by a residential, commercial, office, and/or industrial development project, including but not limited to acquiring, through purchase, lease, lease-purchase, installment purchase, or otherwise; improving, constructing, altering, repairing, augmenting, equipping, and furnishing real property, buildings and other structures, equipment, and materials for law enforcement purposes; and all other auxiliary work which may be</p>
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<p>furnishing real property, buildings and other structures, equipment, and materials for law enforcement purposes; and all other auxiliary work which may be required to carry out that work, such as administrative, engineering, architectural, and legal work performed in connection with establishing, implementing, and monitoring such projects, indirect costs, and other incidental expenses of providing those law enforcement facilities, or all or any combination thereof.</p> <p>6. <i>Law enforcement facilities fee zone.</i> One of the three law enforcement facility fee zones, for the unincorporated Santa Clarita, Newhall, and Gorman areas, the boundaries of which are depicted in the “Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007,” on file in the Executive Office of the Board, each of which includes areas which are within the service area of the Sheriff’s Department. The law enforcement facilities fee zones are:</p> <ul style="list-style-type: none">a. Zone 1: Santa Clarita Zone;b. Zone 2: Newhall Zone; andc. Zone 3: Gorman Zone.	<p>required to carry out that work, such as administrative, engineering, architectural, and legal work performed in connection with establishing, implementing, and monitoring such projects, indirect costs, and other incidental expenses of providing those law enforcement facilities, or all or any combination thereof.</p> <p>F. “Law enforcement facilities fee zone” means one of the three law enforcement facility fee zones, for the unincorporated Santa Clarita, Newhall, and Gorman areas, the boundaries of which are depicted in the “Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007,” on file in the executive office of the board of supervisors of the county of Los Angeles, each of which includes areas which are within the service area of the county of Los Angeles Sheriff’s Department. The law enforcement facilities fee zones are:</p> <ul style="list-style-type: none">Zone 1: Santa Clarita zone;Zone 2: Newhall zone; andZone 3: Gorman zone.
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<p>7. Mitigation fee. A monetary exaction other than a tax or special assessment that is collected under the terms of this Section to provide funds for law enforcement facilities related to a residential, commercial, office, and/or industrial development project.</p> <p>8. Multi-family. Attached single-family dwellings, multiple unit apartment buildings, condominiums, and similar multi-family residential buildings.</p> <p>9. New development project(s). Any activity which requires approval by the County resulting in the issuance of grading, building, plumbing, mechanical or electrical permits, or certificates of occupancy to construct or change the use of a building, or property for residential, commercial, office, and/or industrial use.</p> <p>10. Office. General, professional, or medical office building developments.</p> <p>11. Single-family. Detached one-family dwelling units, duplexes, condominiums, townhomes, and similar residential uses.</p> <p>C. Establishment of Law Enforcement Facilities Mitigation Fee.</p> <p>1. There is hereby established a</p>	<p>G. "Mitigation fee" means a monetary exaction other than a tax or special assessment that is collected under the terms of this chapter to provide funds for law enforcement facilities related to a residential, commercial, office, and/or industrial development project.</p> <p>H. "Multi-family" means attached single-family dwellings, multiple unit apartment buildings, condominiums, and similar multi-family residential buildings.</p> <p>I. "New development project(s)" means any activity which requires approval by the county resulting in the issuance of grading, building, plumbing, mechanical or electrical permits, or certificates of occupancy to construct or change the use of a building, or property for residential, commercial, office, and/or industrial use.</p> <p>J. "Office" means general, professional, or medical office building developments.</p> <p>K. "Single-family" means detached one-family dwelling units, duplexes, condominiums, townhomes, and similar residential uses. (Ord. 2008-0033 § 2 (part), 2008.)</p>
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law enforcement facilities mitigation fee. The amount of the fee to be imposed on a new residential, commercial, office, and/or industrial development project is based upon the findings and conclusions set forth in the "Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," and shall not exceed the estimated reasonable cost of providing law enforcement facilities for such residential, commercial, office, and/or industrial development projects.

2. The law enforcement facilities mitigation fee shall be a uniform fee within each law enforcement facilities fee zone based on the estimated cost of providing the projected law enforcement facility needs in each such zone, as follows:

TABLE 22.150.060.C: LAW ENFORCEMENT FACILITIES MITIGATION FEE	
Zone 1: Santa Clarita zone	
per single-family dwelling unit	\$467.00
per multi-family dwelling unit	\$337.00
per 1,000-square-foot commercial unit or, per square-foot of commercial space	\$ 69.00 \$0.07
per 1,000-square-foot office unit or, per square-foot of office space	\$87.00 \$0.09
per 1,000-square-foot industrial unit or, per square-foot of industrial space	\$35.00 \$0.03

22.74.030 Establishment of law enforcement facilities mitigation fee.

A. There is hereby established a law enforcement facilities mitigation fee. The amount of the fee to be imposed on a new residential, commercial, office, and/or industrial development project is based upon the findings and conclusions set forth in the "Santa Clarita-North Los Angeles County Law Enforcement Facilities Fee Study, October 29, 2007," and shall not exceed the estimated reasonable cost of providing law enforcement facilities for such residential, commercial, office, and/or industrial development projects.

B. The law enforcement facilities mitigation fee shall be a uniform fee within each law enforcement facilities fee zone based on the estimated cost of providing the projected law enforcement facility needs in each such zone, as follows:

- Zone 1: Santa Clarita zone
- per single-family dwelling unit
 - per multi-family dwelling unit
 - per 1,000-square-foot commercial unit
 - or, per square-foot of commercial space
 - per 1,000-square-foot office unit
 - or, per square-foot of office space
 - per 1,000-square-foot industrial unit

Zone 2: Newhall zone			
per single-family dwelling unit	\$863.00	Zone 2: Newhall zone	or, per square-foot of industrial space
per multi-family dwelling unit	\$652.00		per single-family dwelling unit
per 1,000-square-foot commercial unit or, per square-foot of commercial space	\$129.00 \$0.13		per multi-family dwelling unit
per 1,000-square-foot office unit or, per square-foot of office space	\$161.00 \$0.16		per 1,000-square-foot commercial unit
per 1,000-square-foot industrial unit or, per square-foot of industrial space	\$64.00 \$0.06		per 1,000-square-foot office unit
Zone 3: Gorman zone		Zone 3: Gorman zone	or, per square-foot of office space
per single-family dwelling unit	\$1,285.00		per 1,000-square-foot industrial unit
per multi-family dwelling unit	\$971.00		or, per square-foot of industrial space
per 1,000-square-foot commercial unit or, per square-foot of commercial space	\$192.00 \$0.19		per single-family dwelling unit
per 1,000-square-foot office unit or, per square-foot of office space	\$240.00 \$0.24		per multi-family dwelling unit
per 1,000-square-foot industrial unit or, per square-foot of industrial space	\$96.00 \$0.10		per 1,000-square-foot commercial unit
			per 1,000-square-foot office unit
			or, per square-foot of office space
			per 1,000-square-foot industrial unit
			or, per square-foot of industrial space

D. Annual Review of Fee.

- The amount of the fees established by Subsection C,

(Ord. 2008-0033 § 2 (part), 2008.)

22.74.040 Annual review of fee.

A. The amount of the fees established by Section 22.74.030 shall be reviewed annually by the county sheriff, in consultation with the county auditor-controller. On July 1st of each year, the fee in each law enforcement facilities fee zone shall be adjusted as follows: Calculate the percentage movement between April 1st of

<p>above, shall be reviewed annually by the Sheriff, in consultation with the Auditor-Controller. On July 1st of each year, the fee in each law enforcement facilities fee zone shall be adjusted as follows: Calculate the percentage movement between April 1st of the previous year and March 31st of the current year in the Engineering Record-News Building Construction Cost Index—Los Angeles (ENR-BCCI), adjust the fee in each law enforcement facilities fee zone by said percentage amount and round to the nearest dollar. No adjustment shall result in a fee that is greater than the amount necessary to recover the cost of providing the applicable law enforcement facilities.</p> <p>2. If it is determined that the reasonable amount necessary to recover the cost of providing the law enforcement facilities exceeds the fee as adjusted by Subsection D.1, above, the Sheriff shall present an alternative fee proposal to the Board for consideration. Such alternative fee proposal may reflect changes in the actual cost of completed law enforcement facilities projects or, if such projects have not been completed, then the estimated cost of the</p>	<p>the previous year and March 31st of the current year in the Engineering Record-News Building Construction Cost Index—Los Angeles (ENR-BCCI), adjust the fee in each law enforcement facilities fee zone by said percentage amount and round to the nearest dollar. No adjustment shall result in a fee that is greater than the amount necessary to recover the cost of providing the applicable law enforcement facilities.</p> <p>B. If it is determined that the reasonable amount necessary to recover the cost of providing the law enforcement facilities exceeds the fee as adjusted by subsection A, above, the county sheriff shall present an alternative fee proposal to the board of supervisors for consideration. Such alternative fee proposal may reflect changes in the actual cost of completed law enforcement facilities projects or, if such projects have not been completed, then the estimated cost of the proposed law enforcement facilities. The proposal may also reflect changes in the law enforcement facilities proposed as well as the availability or lack of other funds with which to provide such facilities.</p>
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<p>proposed law enforcement facilities. The proposal may also reflect changes in the law enforcement facilities proposed as well as the availability or lack of other funds with which to provide such facilities.</p> <p>3. The Sheriff may also present an alternative fee proposal to the Board for approval as may be necessary to ensure that the law enforcement facilities mitigation fee is a fair and equitable method of distributing the costs of the law enforcement facilities necessary to accommodate the law enforcement needs generated by the development of land in the unincorporated areas of north Los Angeles County.</p> <p>E. Applicability.</p> <p>1. The provisions of this Section shall apply to new development projects which, as of August 23, 2008, the effective date of the ordinance, are yet to receive final discretionary approval and/or the issuance of a building permit or other development right. The fees provided in this Section shall also be imposed upon a previously improved lot when a building permit is issued to add 1,000 square feet, or more, to an existing building</p>	<p>C. The county sheriff may also present an alternative fee proposal to the board of supervisors for approval as may be necessary to insure that the law enforcement facilities mitigation fee is a fair and equitable method of distributing the costs of the law enforcement facilities necessary to accommodate the law enforcement needs generated by the development of land in the unincorporated areas of north Los Angeles County. (Ord. 2008-0033 § 2 (part), 2008.)</p> <p>22.74.050 Applicability.</p> <p>A. The provisions of this chapter shall apply to new development projects which, as of the effective date of the ordinance codified in this chapter, are yet to receive final discretionary approval and/or the issuance of a building permit or other development right. The fees provided in this chapter shall also be imposed upon a previously improved lot or parcel when a building permit is issued to add one thousand (1,000) square feet, or more, to an existing building unit upon such lot or parcel.</p> <p>B. No tract map, parcel map, conditional use permit, building permit, other land use permit, or other entitlement for a new development project as defined in this</p>
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<p>unit upon such lot.</p> <p>2. No tract map, parcel map, conditional use permit, building permit, other land use permit, or other entitlement for a new development project as defined in this Section shall be approved unless payment of the law enforcement facilities mitigation fee is made a condition of approval for any such entitlement.</p> <p>3. Additionally, the fees provided for in this Section shall be imposed upon a lot which has been previously improved with a building unit whenever a building permit is issued for a new building unit on an adjoining lot under common ownership and which new unit constitutes, in effect, an addition of 1,000 square feet, or more, when constructed, or an expansion of use of the previously improved parcel. Such fee shall be calculated upon the total square footage of new construction and paid by every person or entity for which a building permit is issued.</p>	<p>chapter shall be approved unless payment of the law enforcement facilities mitigation fee is made a condition of approval for any such entitlement.</p> <p>C. Additionally, the fees provided for in this chapter shall be imposed upon a parcel which has been previously improved with a building unit whenever a building permit is issued for a new building unit on an adjoining parcel under common ownership and which new unit constitutes, in effect, an addition of one thousand (1,000) square feet, or more, when constructed, or an expansion of use of the previously improved parcel. Such fee shall be calculated upon the total square footage of new construction and paid by every person, or entity to whom a building permit is issued therefor. (Ord. 2008-0033 § 2 (part), 2008.)</p>
<p>F. Time of Payment of Fee.</p> <p>1. No building or similar permit for any new development project as defined in this Section shall be issued until the applicant has paid the applicable law enforcement facilities mitigation fee to the</p>	<p>22.74.060 Time of payment of fee.</p> <p>A. No building or similar permit for any new development project as defined in this chapter shall be issued until the applicant has paid the applicable law enforcement facilities mitigation fee to the county sheriff. In the event that an applicant desires to proceed only with development of a portion of the development project, the applicant may obtain building permits for that portion of the project after paying a proportional share of the total law enforcement facilities mitigation fee for the project to the</p>

<p>Sheriff. In the event that an applicant desires to proceed only with development of a portion of the development project, the applicant may obtain building permits for that portion of the project after paying a proportional share of the total law enforcement facilities mitigation fee for the project to the satisfaction of the Sheriff.</p> <p>2. Notwithstanding the provisions of Subsection F.1, above, payment of the law enforcement facilities mitigation fee for a single-family or multi-family development project shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first, unless the County has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the law enforcement facilities to be financed by the fee, or unless the fee is intended to reimburse the County for expenditures already made. Additionally, notwithstanding the provisions of Subsection F.1, above, payment of the law enforcement facilities mitigation fee for projects for occupancy by lower income</p>	<p>satisfaction of the county sheriff.</p> <p>B. Notwithstanding the provisions of subsection A, above, payment of the law enforcement facilities mitigation fee for a single-family or multi-family development project shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first, unless the county has previously adopted a capital improvement plan or proposed construction schedule and has established an account and appropriated funds for the law enforcement facilities to be financed by the fee, or unless the fee is intended to reimburse the county for expenditures already made. Additionally, notwithstanding the provisions of subsection A, above, payment of the law enforcement facilities mitigation fee for projects for occupancy by lower income households meeting the criteria set forth in Government Code section 66007(b)(2)(A) shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first. Where payment of the fees may only be collected on the date of final inspection or the date the certificate of occupancy is issued as provided in this subsection, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such agreement shall constitute a</p>
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<p>households meeting the criteria set forth in State Government Code Section 66007(b)(2)(A) shall not be required prior to the date of the final inspection or the date the certificate of occupancy is issued for the first unit in the development, whichever occurs first. Where payment of the fees may only be collected on the date of final inspection or the date the certificate of occupancy is issued as provided in this Subsection F, execution of an agreement to pay the required fee or applicable portion thereof within the time specified herein shall be a condition of issuance of the applicable building or similar permit. Such agreement shall constitute a lien for the payment of the fee and shall be enforceable as provided in State Government Code Section 66007.</p>	<p>lien for the payment of the fee and shall be enforceable as provided in Government Code section 66007. (Ord. 2008-0033 § 2 (part), 2008.)</p>
<p>G. Exemptions from Fee. The following shall be exempt from the provisions of this Section:</p> <ol style="list-style-type: none">1. Notwithstanding the provisions of Subsection E.1, above, additions to residential structures that are less than 2,000 square feet in size shall not be subject to the fees otherwise required by this Section.2. No fee imposed by this	<p>22.74.070 Exemptions from fee.</p> <p>The following shall be exempt from the provisions of this chapter:</p> <p>A. Notwithstanding the provisions of subsection A of Section 22.74.050, additions to residential structures that are less than two thousand (2,000) square feet in size shall not be subject to the fees otherwise required by this chapter.</p> <p>B. No fee imposed by this ordinance shall be imposed upon the issuance of building permit for the restoration of existing buildings, or buildings damaged by fire, or natural disasters such as earthquake, wind, or flood, where the replaced building, or</p>

<p>Section shall be imposed upon the issuance of building permit for the restoration of existing buildings, or buildings damaged by fire, or natural disasters such as earthquake, wind, or flood, where the replaced building, or portion thereof, does not exceed the original gross floor area. For purposes of this Subsection, "gross floor area" shall be determined by the Director of Public Works, or his designee and excludes accessory structures such as decks, patios, barns, sheds, and kiosks.</p>	<p>portion thereof, does not exceed the original gross floor area. For purposes of this section, "gross floor area" shall be determined by the director of public works, or his designee and excludes accessory structures such as decks, patios, barns, sheds, and kiosks. (Ord. 2008-0033 § 2 (part), 2008.)</p>
<p>H. Deposit and Use of Fees Collected. All law enforcement facilities mitigation fees received by the County shall be deposited in a special law enforcement capital facilities fund and expended solely for the purposes for which the fee was collected. A separate law enforcement capital facilities fund account shall be established for each of the three law enforcement facilities fee zones. All funds from the imposition of fees provided herein shall be deposited into such accounts to be used exclusively for the purpose of land acquisition, engineering, construction, installation, purchasing, or any other direct cost of providing law enforcement facilities as defined in Subsection B.5, above, and for no other purpose. All interest income earned shall be credited to each account, and shall be used solely for the purposes for which the</p>	<p>22.74.080 Deposit and use of fees collected.</p> <p>All law enforcement facilities mitigation fees received by the county shall be deposited in a special law enforcement capital facilities fund and expended solely for the purposes for which the fee was collected. A separate law enforcement capital facilities fund account shall be established for each of the three law enforcement facilities fee zones. All funds from the imposition of fees provided herein shall be deposited into such accounts to be used exclusively for the purpose of land acquisition, engineering, construction, installation, purchasing, or any other direct cost of providing law enforcement facilities as defined in subsection E of Section 22.74.020, and for no other purpose. All interest income earned shall be credited to each account, and shall be used solely for the purposes for which the fee was collected. (Ord. 2008-0033 § 2 (part), 2008.)</p> <p>22.74.090 Consideration in lieu of fee.</p>

<p>fee was collected.</p> <p>I. Consideration in Lieu of Fee.</p> <p>1. The Sheriff may accept substitute consideration in lieu of the law enforcement facilities mitigation fee required pursuant to this Section, provided the Sheriff finds that the proposed substitute consideration:</p> <p>a. Has a value equal to or greater than the applicable law enforcement facilities mitigation fee otherwise due;</p> <p>b. Is in a form acceptable to the Sheriff; and</p> <p>c. Is within the scope of the applicable law enforcement facilities project.</p> <p>2. The Sheriff may accept substitute consideration in lieu of a portion of the law enforcement facilities mitigation fee required pursuant to this Section where he, or she finds that the substitute consideration proposed is less than the value of the required fee but is in a form acceptable to the Sheriff and is within the scope of the applicable law enforcement facilities project. Such substitute consideration may be accepted by the</p>	<p>A. The county sheriff may accept substitute consideration in lieu of the law enforcement facilities mitigation fee required pursuant to this chapter, provided the county sheriff finds that the proposed substitute consideration:</p> <p>1. Has a value equal to or greater than the applicable law enforcement facilities mitigation fee otherwise due;</p> <p>2. Is in a form acceptable to the county sheriff; and</p> <p>3. Is within the scope of the applicable law enforcement facilities project.</p> <p>B. The county sheriff may accept substitute consideration in lieu of a portion of the law enforcement facilities mitigation fee required pursuant to this chapter where he, or she finds that the substitute consideration proposed is less than the value of the required fee but is in a form acceptable to the county sheriff and is within the scope of the applicable law enforcement facilities project. Such substitute consideration may be accepted by the county sheriff only after payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the county sheriff, and the amount of the otherwise required fee. (Ord. 2008-0033 § 2 (part), 2008.)</p>
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<p>Sheriff only after payment of an amount equal to the difference between the value of the substitute consideration, as solely determined by the Sheriff, and the amount of the otherwise required fee.</p> <p>J. Reimbursement. The provisions of Subsection I, above, shall not prevent the execution of a reimbursement agreement between the County and a developer for that portion of the cost of law enforcement facilities paid by the developer which exceeds the need for the law enforcement facilities attributable to and reasonably related to the development.</p> <p>K. Alternative Method. This Subsection K is intended to establish an alternative method for the financing of public law enforcement facilities, the need for which is generated directly, or indirectly by new development projects. The provisions of this Subsection shall not be construed to limit the power of the County to utilize any other method for accomplishing this purpose, but shall be in addition to any other fees, or requirements which the Board is authorized to impose as a condition to approving new development pursuant to state and local laws.</p>	<p>22.74.100 Reimbursement.</p> <p>The provisions of Section 22.74.090 shall not prevent the execution of a reimbursement agreement between the county and a developer for that portion of the cost of law enforcement facilities paid by the developer which exceeds the need for the law enforcement facilities attributable to and reasonably related to the development. (Ord. 2008-0033 § 2 (part), 2008.)</p> <p>22.74.110 Alternative method.</p> <p>This chapter is intended to establish an alternative method for the financing of public law enforcement facilities, the need for which is generated directly, or indirectly by new development projects. The provisions of this chapter shall not be construed to limit the power of the county to utilize any other method for accomplishing this purpose, but shall be in addition to any other fees, or requirements which the board of supervisors is authorized to impose as a condition to approving new development pursuant to state and local laws. (Ord. 2008-0033 § 2 (part), 2008.)</p>
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Chapter 22.152 Parking Permit

Sections:

- 22.152.010 Purpose
- 22.152.020 Applicability
- 22.152.030 Findings and Decision
- 22.152.040 Conditions of Approval
- 22.152.050 Termination

22.152.010 Purpose

This Chapter provides an alternative to the parking requirements of Chapter 22.80 (Parking and Loading) to provide greater flexibility in the design of particular uses that have special parking needs and characteristics, conserve land and promote efficient land use, or reduce the amount or required parking in the event that a particular use does not have the need for such requirements.

22.152.020 Applicability

A. Applications.

1. **Type III Applications.**
Applications for a parking permit shall be the same as a Type III application, in compliance with Chapter 22.122 (Type III Applications – Discretionary), for a reduction of less than 30 percent in the number of vehicle parking spaces required by this Ordinance is proposed.
2. **Type IV Applications.**
Applications for a parking

Part 7 PARKING PERMITS

22.56.990 Establishment--Purpose.

A. The parking permit procedure is established to provide an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements.

<p>permit shall be the same as a Type IV application, in compliance with Chapter 22.124 (Type IV Applications – Discretionary) for all other requests for a reduction in the number of vehicle parking spaces required by this Ordinance, except that the request for a reduction in required parking spaces for any use may not be reduced to less than 50 percent, except that senior citizens and handicapped housing development may request a reduction of more than 50 percent.</p> <p>B. Uses. A parking permit may be filed for such uses including:</p> <ol style="list-style-type: none">1. Housing developments for senior citizens and persons with disabilities where few of the residents will own their own automobiles;2. Certain uses where parking requirements are based upon floor area of a structure, but bear no relationship to the number of employees, customers, etc., on the premises or the trade conducted;3. Businesses which provide their employees, customers, or others with positive incentives to use means of transportation other than the automobile;	<p>B. It is the intent to provide more flexibility in the design of particular uses that have special characteristics by reducing the number of parking spaces otherwise required for such uses including:</p> <ol style="list-style-type: none">1. Senior citizens and handicapped persons housing developments where few of the residents will own their own automobiles;2. Certain uses where parking requirements are based upon floor area of a structure, but bear no relationship to the number of employees, customers, etc., on the premises or the trade conducted;3. Businesses which provide their employees, customers, or others with positive incentives to use means of transportation other than the automobile. <p>C. It is the intent to conserve land and promote efficient land use by allowing:</p> <ol style="list-style-type: none">1. The dual or shared use of parking facilities by two or more uses;
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<p>4. The dual or shared use of parking facilities by two or more uses;</p> <p>5. Tandem parking for nonresidential uses;</p> <p>6. Compact parking spaces for apartment houses;</p> <p>7. Off-site parking facilities;</p> <p>8. The short-term leasing of required parking spaces;</p> <p>9. Transitional parking for parcels with rear lot lines abutting commercial or industrial zones; or</p> <p>10. Uncovered parking for low and moderate income housing.</p>	<p>2. Tandem parking for nonresidential uses;</p> <p>3. Compact parking spaces for apartment houses.</p> <p>D. It is the intent to provide greater flexibility and opportunity to meet the parking requirements by allowing:</p> <p>1. Off-site parking facilities;</p> <p>2. The short-term leasing of required parking spaces;</p> <p>3. Transitional parking for parcels with rear lot lines abutting commercial or industrial zones;</p> <p>4. Uncovered parking for low and moderate income housing. (Ord. 83-0161 § 63, 1983; Ord. 1494 Ch. 5 Art. 13 § 513.1, 1927.)</p> <p>22.56.1060 Application--Findings and decision.</p>
<p>22.152.030 Findings and Decision</p> <p>The Review Authority shall approve a parking permit only after the applicant substantiates all of the following required findings:</p> <p>A. The findings for a Type III application per Section 22.122.050 (Project Notice and Required Actions) or the Type IV application per Section 22.124.060 (Public Hearing, Findings and Decision), as applicable;</p> <p>B. That there will be no need for the number of parking spaces required by Chapter 22.80 (Parking and Loading) because:</p> <p>1. The age and/or physical condition of the residents is such that the use of automobiles is unlikely, or</p>	<p>A. The director shall approve an application for a parking permit where the following findings are made:</p> <p>1. That the applicant has met the burden of proof set forth in Section 22.56.1020; and</p> <p>22.56.1020 Application--Burden of proof. In addition to the information required in the application by Section 22.56.1010, the applicant shall substantiate the following facts:</p> <p>A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:</p> <p>1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or</p> <p>2. The nature of the use is such that there is a reduced occupancy, or</p>

<p>2. The nature of the use is such that there is a reduced occupancy, or</p> <p>3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or</p> <p>4. Sufficient land area is reserved or an alternative arrangement is approved to ensure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain housing developments for senior citizens and persons with disabilities where the Director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land</p>	<p>3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or</p> <p>4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;</p>
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<p>area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;</p> <p>C. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:</p> <ol style="list-style-type: none"> 1. Uses sharing parking facilities operate at different times of the day or days of the week, or 2. Parking facilities using tandem spaces will employ valets or will utilize other means to ensure a workable parking plan, or 3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces; <p>D. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:</p> <ol style="list-style-type: none"> 1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or 	<p>B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:</p> <ol style="list-style-type: none"> 1. Uses sharing parking facilities operate at different times of the day or days of the week, or 2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or 3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces; <p>C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:</p> <ol style="list-style-type: none"> 1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or 2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain
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<p>2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or</p> <p>3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or</p> <p>4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;</p> <p>E. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property; and</p> <p>F. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Ordinance.</p>	<p>other guarantees assuring continued availability of the spaces, or</p> <p>3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or</p> <p>4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;</p> <p>D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;</p> <p>E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22. (Ord. 83-0161 § 66, 1983; Ord. 1494 Ch. 5 Art. 13 § 513.4, 1927.)</p>
<p>22.152.040 Conditions of Approval</p> <p>A. Covenant.</p> <p>1. Where a parking permit is approved, the owner of the land shall furnish and record an agreement with the Registrar-Recorder/County</p>	<p>22.56.1070 Agreement to develop following termination or approved use.</p> <p>A. Where a parking permit is approved, the owner of the land shall furnish and record an agreement in the office of the county recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the county of Los Angeles, providing that, should such parking permit</p>

<p>Clerk as a covenant running with the land for the benefit of the County, providing that, should such parking permit terminate, the owner or his successor in interest will develop the parking spaces needed to bring the new use or occupancy into conformance with the requirements of Chapter 22.80 (Parking and Loading) at the time such new use or occupancy is established.</p> <p>2. Where a parking permit is approved for off-site parking, the agreement shall be recorded on both the lot containing the principal use as well as the lot or developed for off-site parking.</p> <p>3. All agreements shall be reviewed and approved by the Director and County Counsel prior to recordation.</p> <p>B. Modification to Chapter 22.80 (Parking and Loading). Unless specifically modified by a parking permit, all regulations prescribed in Chapter 22.80 (Parking and Loading) shall apply.</p> <p>C. Additional Conditions. The Review Authority may impose additional conditions as deemed necessary to ensure that the permit will be in accordance with the findings required by this Chapter. In addition, the following conditions shall be imposed, where applicable, unless specifically</p>	<p>terminate, the owner or his successor in interest will develop the parking spaces needed to bring the new use or occupancy into conformance with the requirements of Part 11 of Chapter 22.52 at the time such new use or occupancy is established.</p> <p>B. Where a parking permit is approved for off-site parking, the agreement shall be recorded on both the lot or parcel of land containing the principal use as well as the lot or parcel of land developed for off-site parking.</p> <p>C. All agreements shall be reviewed and approved by the planning director and county counsel prior to recordation. (Ord. 83-0161 § 71, 1983; Ord. 1494 Ch. 5 Art. 13 § 513.10, 1927.)</p> <p>22.56.1100 All regulations apply unless permit is granted. Unless specifically modified by a parking permit, all regulations prescribed in Part 11 of Chapter 22.52 shall apply. (Ord. 1494 Ch. 5 Art. 13 § 513.15, 1927.)</p> <p>22.56.1110 Imposition of additional conditions.</p> <p>In approving an application for a parking permit, additional conditions may be imposed as deemed necessary to insure that the permit will be in accord with the findings required by Section 22.56.1060. Conditions imposed may include those in Section 22.56.100 and, in addition, the following conditions shall be imposed, where</p>
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<p>waived or modified:</p> <ol style="list-style-type: none">1. The required parking spaces for senior citizens and persons with disabilities may be reduced to not less than one space for each four dwelling units.2. Where reduced occupancy is a primary consideration in the approval of a parking permit, the maximum occupant load for such use shall be established.3. Where special programs are proposed to reduce the parking requirement, they shall be reviewed annually by the Director to determine their effectiveness. In the event that such programs are terminated or unsuccessful, the property owner shall supply the required parking.4. The required parking spaces for all uses other than a housing development for senior citizens and persons with disabilities may be reduced to not less than 50 percent of the parking spaces required by Section 22.80.050 (Required Parking).5. Where land is required to be reserved to ensure that sufficient area is available to meet the parking requirements, restrictions shall be imposed on such land so that it can feasibly be	<p>applicable, unless specifically waived or modified:</p> <ol style="list-style-type: none">A. The required parking spaces for senior citizens and handicapped persons may be reduced to not less than one space for each four dwelling units;B. Where reduced occupancy is a primary consideration in the approval of a parking permit, the maximum occupant load for such use shall be established;C. Where special programs are proposed to reduce the parking requirement, they shall be reviewed annually to determine their effectiveness. In the event that such programs are terminated or unsuccessful, the property owner shall supply the required parking;D. The required parking spaces for all uses other than a senior citizens and handicapped housing development may be reduced to not less than 50 percent of the parking spaces required by Part 11 of Chapter 22.52;E. Where land is required to be reserved to insure that sufficient area is available to meet the parking requirements, restrictions shall be imposed on such land so that it can feasibly be converted to parking if needed;
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<p>converted to parking if needed.</p> <p>6. Where shared parking facilities are approved, operating conditions such as hours or days of operation shall be established for each use sharing the facility.</p> <p>7. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited. Each tandem parking space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.</p> <p>8. Where compact parking is proposed for apartments, no more than 40 percent of the required spaces shall be for compact automobiles. A program to manage the distribution of parking spaces shall be approved and operated by the apartment management or a</p>	<p>F. Where shared parking facilities are approved, operating conditions such as hours or days of operation shall be established for each use sharing the facility;</p> <p>G. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established. The parking of automobiles by valets on public streets shall be prohibited. Each tandem parking space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.</p> <p>H. Where compact parking is proposed for apartments, no more than 40 percent of the required spaces shall be for compact automobiles. A program to manage the distribution of parking spaces shall be approved and operated by the apartment management or a homeowners' association.</p>
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<p>homeowners' association.</p> <p>9. If off-site automobile parking facilities are proposed, such facilities must be within 400 feet from any entrance of the use to which they are accessory. Parking for employees shall be located within 1,320 feet from the entrance to such use. Directions to such facilities shall be clearly posted at the principal use.</p> <p>10. Where leasing of parking facilities is proposed for any period less than 20 years, the applicant shall guarantee that the leased spaces are available for his sole use, the lease shall be recorded with the Registrar-Recorder/County Clerk, and the applicant shall demonstrate that he has the ability to provide the required number of spaces should the lease be cancelled or terminated. Except for the term of the lease, the provisions of Section 22.80.040.A (Ownership or Lease) relating to leases shall apply. A copy of such lease shall be submitted to the Director and County Counsel for review and approval. Other conditions including, but not limited to, requiring title reports, covenants and bonding may also be imposed where necessary to ensure the continued availability of</p>	<p>I. If off-site automobile parking facilities are proposed, such facilities must be within 400 feet from any entrance of the use to which they are accessory. Parking for employees shall be located within 1,320 feet from the entrance to such use. Directions to such facilities shall be clearly posted at the principal use.</p> <p>J. Where leasing of parking facilities is proposed for any period less than 20 years, the applicant shall guarantee that the leased spaces are available for his sole use, the lease shall be recorded in the office of the county recorder, and the applicant shall demonstrate that he has the ability to provide the required number of spaces should the lease be cancelled or terminated. Except for the term of the lease, the provisions of subsection A of Section 22.52.1020 relating to leases shall apply. A copy of such lease shall be submitted to the planning director and county counsel for review and approval. Other conditions including, but not limited to, requiring title reports, covenants and bonding may also be imposed where necessary to insure the continued availability of leased parking spaces.</p>
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<p>leased parking spaces.</p> <p>11. Where transitional parking is proposed for lots whose rear lot line adjoins or is separated only by an alley from a commercial or industrial zone, no access is permitted from the parking facility to the street on which the lot fronts. The parking facility shall be developed in accordance with the standards of Chapter 22.80 (Parking and Loading) and Chapter 22.106.xyz (Parking as a Transitional Use), unless specifically waived or modified by the parking permit. The hours and days of operation shall be established to prevent conflicts with adjoining less restrictive uses, and the facility shall be secured to prevent unauthorized use during times when the facility is closed.</p> <p>12. Where uncovered parking is proposed for low and moderate income housing, the following setback and screening provisions, shall be complied with:</p> <p>a. Uncovered parking spaces shall not be located in the required front, side, corner side or rear yards except in those places where garages or carports are permitted in accordance with Chapter 22.84</p>	<p>K. Where transitional parking is proposed for lots whose rear lot line adjoins or is separated only by an alley from a commercial or industrial zone, no access is permitted from the parking facility to the street on which the lot fronts. The parking facility shall be developed in accordance with the standards of Part 11 of Chapter 22.52 and Section 22.20.090, unless specifically waived or modified by the parking permit. The hours and days of operation shall be established to prevent conflicts with adjoining less restrictive uses, and the facility shall be secured to prevent unauthorized use during times when the facility is closed.</p> <p>L. Where uncovered parking is proposed for low and moderate income housing, the following setback and screening provisions, shall be complied with:</p> <p>1. Uncovered parking spaces shall not be located in the required front, side, corner side or rear yards except in those places where garages or carports are permitted in accordance with Part 2 of Chapter 22.48.</p>
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(General Site Regulations).	
<p>b. Uncovered parking spaces shall be screened by a six-foot high solid fence or wall or by a three-foot wide planting strip along the sides of the parking space if the space is located within 10 feet of any property line.</p> <p>i. Landscaping material in the planting strip shall consist of evergreen trees and/or shrubs of such size, spacing and character that they form an opaque screen five to six feet high within two years of planting. This landscaping must be continuously maintained.</p> <p>ii. Such buffering by walls, fences or landscaping is optional where the lots or parcels of land adjoining the uncovered parking area are developed with</p>	<p>2. Uncovered parking spaces shall be screened by a six-foot high solid fence or wall or by a three-foot wide planting strip along the sides of the parking space if the space is located within 10 feet of any property line.</p> <p>a. Landscaping material in the planting strip shall consist of evergreen trees and/or shrubs of such size, spacing and character that they form an opaque screen five to six feet high within two years of planting. This landscaping must be continuously maintained.</p> <p>b. Such buffering by walls, fences or landscaping is optional where the lots or parcels of land adjoining the uncovered parking area are developed with parking facilities, either covered or uncovered.</p>

<p style="text-align: center;">parking facilities, either covered or uncovered.</p> <p>c. Uncovered parking spaces will be permitted only for those units actually designated for low or moderate income housing.</p> <p>13. In the case of an eating establishment selling food for off-site consumption, no less than one vehicle parking space for each 250 square feet is proposed</p> <p>14. In the event that any applicant and/or property owner is unable to comply with the provisions of the parking permit, the use for which permit has been granted shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the Director.</p> <p>15. The parking permit shall be granted for a specified term where deemed appropriate.</p> <p>22.152.050 Termination</p> <p>A. A parking permit that is valid and in effect, and was granted pursuant to the provisions of this Ordinance, shall adhere to the land and continue to be valid upon change of ownership of the land or any lawfully existing</p>	<p>3. Uncovered parking spaces will be permitted only for those units actually designated for low or moderate income housing.</p> <p>This is new. This was originally proposed under Section 22.152.020 Applicability and was not opposed during group discussion.</p> <p>M. In the event that any applicant and/or property owner is unable to comply with the provisions of the parking permit, the use for which permit has been granted shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the director.</p> <p>N. The parking permit shall be granted for a specified term where deemed appropriate. (Ord. 83-0161 § 73, 1983; Ord. 1494 Ch. 5 Art. 13 § 513.9, 1927.)</p> <p>22.56.1130 Termination on cessation of use or occupancy.</p> <p>An approved parking permit shall terminate and cease to be in effect at the same time the principal use or occupancy for which such permit is granted terminates. (Ord.</p>
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<p>building or structure on said land.</p> <p>B. An approved parking permit shall terminate and cease to be in effect at the same time the principal use or occupancy for which such permit is granted terminates.</p>	<p>1494 Ch. 5 Art. 13 § 513.11, 1927.)</p> <p>Question – By combining parking modification and parking permit in to one section, it adds findings for the Type III permit - parking modification. Is this a policy change? We've wanted findings for the parking modification.</p> <p>DELETED:</p> <p>22.56.1000 Application--Filing time.</p>
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	<p>Any persons desiring a parking permit provided for in this Part 7 may file an application with the planning director; provided, that no application shall be filed or accepted if final action has been taken within one year prior thereto by the director, commission or board of supervisors on an application requesting the same or substantially the same, permit. (Ord. 83-0161 § 64, 1983: Ord. 1494 Ch. 5 Art. 13 § 513.2, 1927.)</p> <p>22.56.1010 Application--Information required.</p> <p>Application for a parking permit shall contain the following information:</p> <ul style="list-style-type: none">A. Name and address of the applicant and of all persons owning any or all of the property purposed to be used;B. Evidence that the applicant:<ul style="list-style-type: none">1. Is the owner of the premises involved, or2. Has written permission of the owner or owners to make such application, or3. Is or will be the plaintiff in an action of eminent domain to acquire the premises involved or any portion thereof, or4. In the case of a public agency, is negotiating to acquire a portion of the premises involved;C. Location of the subject property (address or vicinity);D. Legal description of the property involved;E. The nature of the requested use, indicating the business, occupation or purpose for which such building, structure or improvement is to be occupied or used;F. The nature, condition and development of adjacent uses, buildings and structures;G. Two site plans, drawn to a scale satisfactory to and in the number of copies prescribed by the director, indicating:<ul style="list-style-type: none">1. The area and dimensions of the proposed
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	<p>site for the requested use, and</p> <p>2. On the first site plan, the location and dimensions of all structures, yards, walls, fences, parking and loading facilities, landscaping, and other development features, as if no parking permit is applied for, and</p> <p>3. On the second site plan, the location and dimensions of all structures, yards, walls, fences, parking and loading facilities, landscaping, and other development features, including any land area reserved to satisfy normal parking requirements should the use or occupancies change, as if the parking permit were granted;</p> <p>H. The dimensions and state of improvement of the adjoining streets and highways providing access to the proposed site of the requested use;</p> <p>I. Other permits and approvals secured in compliance with the provisions of other applicable ordinances;</p> <p>J. With each application the applicant shall also file:</p> <p>1. Maps, in the number prescribed and drawn to a scale specified by the director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the subject parcel of land, and</p> <p>2. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 500-foot radius, and</p> <p>3. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the</p>
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	<p>subject parcel of land and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land to be occupied by the use. One copy of said map shall indicate where such ownerships are located;</p> <p>K. A description of the unique characteristics of the proposed use and/or special programs which are proposed which reduce the need for the required number of parking spaces or warrant modification of the parking requirements of Part 11 of Chapter 22.52;</p> <p>L. A vicinity map showing the location of transit lines, park-and-ride facilities, people-movers, bikeways or other similar facilities which provide alternate transportation modes;</p> <p>M. When a parking permit is proposed for off-site parking, the filing requirements listed in this section shall apply to all parcels under consideration. In addition, the director shall provide notice of the permit and of any public hearing required for such proposal for all parcels independently using the procedures contained in this Part 7 and in Part 4 of Chapter 22.60 of this Title 22; and</p> <p>N. Such other information as the director may require;</p> <p>O. The director may waive the filing of one or more of the above items;</p> <p>P. The accuracy of all information, maps and lists submitted shall be the responsibility of the applicant. (Ord. 90-0134 § 9, 1990; Ord. 83-0161 § 65, 1983; Ord. 1494 Ch. 5 Art. 13 § 513.3, 1927.)</p> <p>22.56.1030 Application--Fee and deposit.</p> <p>When an application is filed, it shall be accompanied by the filing fee and deposit as required in Section 22.60.100. (Ord. 1494 Ch. 5 Art. 13 § 513.5, 1927.)</p>
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	<p>22.56.1050 Application--Notice requirements.</p> <p>A. In all cases where an application is filed, the director shall cause a notice indicating the applicant's request at the location specified to be forwarded by first-class mail, postage prepaid, to:</p> <ol style="list-style-type: none">1. All persons whose names and addresses appear on the latest available assessment roll of the county of Los Angeles as owning property within a distance of 500 feet from the exterior boundaries of the property on which the permit is filed. A notice shall also be sent in a similar manner to "occupant" at the site address in those cases where the mailing address of any owner of property required to be notified under the provisions of this subsection differs from the site address of such property. In the case of an apartment house, a notice addressed to "occupant" shall be mailed to each dwelling unit; and2. Such other persons or groups whose property or interests might, in his judgment, be affected by such application or permit. <p>B. Such notice shall also indicate that any person, opposed to the granting of such permit may express such opposition by written protest to the director within 14 calendar days following the date on the notice. (Ord. 2008-0026 § 10, 2008: Ord. 83-0161 § 68, 1983.)</p> <p>22.56.1060.A.2. That no written protest to the proposed parking permit has been received within 14 calendar days following the date on the notice sent by the director pursuant to Section 22.56.1050.</p>
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	<p>B. The director shall deny the application where the information submitted by the applicant fails to substantiate the findings to his satisfaction.</p> <p>C. The director shall send a notice of his decision to the applicant and any person requesting notification and anyone who has filed a written protest. Such notice shall indicate that an appeal may be filed pursuant to Section 22.56.1065.</p> <p>D. The decision of the director shall become final and effective on the 15th calendar day following the date on the notice of action taken; provided, that neither a written appeal of the action taken has been filed with the commission on or before the 14th calendar day following the date on the notice, nor a further review by the commission of the director's decision has been timely initiated by the board of supervisors, or a member of the board of supervisors.</p> <p>E. In all cases where a written protest has been received, or where the board of supervisors, either individually or collectively, requests, a public hearing shall be scheduled before the hearing officer. In such case, all procedures relative to notification and public hearing set forth in Part 4 of Chapter 22.60 shall be followed. Following a public hearing the hearing officer shall approve or deny the proposed modification, based on the findings required by this section for approval by the director exclusive of written protest. (Ord. 2008-0026 § 11, 2008; Ord. 83-0161 § 69, 1983.)</p> <p>22.56.1065 Appeal procedures.</p> <p>Any person dissatisfied with the action of the director or the hearing officer, as applicable, may file an appeal of such action with the commission, and any person dissatisfied</p>
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	<p>with the decision of the commission may file an appeal with the board of supervisors. All such appeals shall be filed within the time period set forth in, and shall be subject to all of the other provisions of Part 5 of Chapter 22.60. (Ord. 2008-0026 § 12, 2008: Ord. 85-0195 § 34, 1985; Ord. 83-0161 § 70, 1983.)</p> <p>22.56.1067 Request for further review.</p> <p>In addition to the procedure for initiation of appeals pursuant to Section 22.60.200, within the appeal period, one or more members of the board of supervisors may request further review by the board of supervisors of a commission action on a parking permit. (Ord. 83-0161 § 70.5, 1983.)</p> <p>22.56.1080 Decision--Effective date.</p> <p>The effective date of a decision made on a permit under this Part 7 shall be as set forth in Section 22.60.260. (Ord. 2008-0026 § 13, 2008: Ord. 1494 Ch. 5 Art. 13 § 513.14, 1927.)</p> <p>22.56.1090 Date of grant when an appeal is filed.</p> <p>Where an appeal is filed to any parking permit, and the permit is ultimately granted, the date of the decision by the commission or the board of supervisors of such appeal, whichever is later, shall be deemed the date of grant in determining the expiration date. (Ord. 2008-0026 § 14, 2008: Ord. 83-0161 § 72, 1983: Ord. 1494 Ch. 5 Art. 13 § 513.12, 1927.)</p> <p>22.56.1120 Continuing validity of permit.</p> <p>A parking permit that is valid and in effect, and was granted pursuant to the provisions</p>
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	<p>of this Title 22, shall adhere to the land and continue to be valid upon change of ownership of the land or any lawfully existing building or structure on said land. (Ord. 1494 Ch. 5 Art. 13 § 513.16, 1927.)</p> <p>22.56.1140 Permit does not legalize nuisances.</p> <p>Neither the provisions of this Part 7 nor the granting of any permit provided for in this Part 7 authorizes or legalizes the maintenance of any public or private nuisance. (Ord. 1494 Ch. 5 Art. 13 § 513.13, 1927.)</p>
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