ANALYSIS

This ordinance amends Title 22 – Planning and Zoning of the Los Angeles County Code relating to the Hearing Examiner procedure to provide the Director of the Department of Regional Planning ("Director") discretion to determine which projects first go to the Hearing Examiner before being heard by the Regional Planning Commission, and includes guidelines indicating factors that will ordinarily indicate to the Director that an initial hearing before the Hearing Examiner should be held.

ANDREA SHERIDAN ORDIN
County Counsel

By Elaine M Lemke

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:vn

05/13/2011 (Requested)

05/31/2011 (Revised)

HOA.793695.1

ORDINANCE NO. 2011-0035

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code, relating to the Hearing Examiner procedure to provide the Director of the Department of Regional Planning discretion to determine which projects first go to the Hearing Examiner before being heard by the Commission, and includes guidelines indicating factors that will ordinarily indicate to the Director that an initial hearing before the Hearing Examiner should be held.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.60.171 is hereby amended to read as follows:

22.60.171 Conduct of ~~h~~Hearing e~~E~~Examiner proceedings.

A. When a verified application is filed or a hearing is initiated for a permit, variance, zone change or amendment, land division, or plan amendment and a hearing is required by Title 21 or this Title 22, ~~except as set forth in subdivision B,~~ the ~~h~~Hearing e~~E~~Examiner ~~shall~~may first hold a public hearing on all projects subject to a hearing before the c~~C~~ommission except on appeals and calls for review of projects decided by the ~~h~~Hearing o~~O~~fficer.

B. ~~For the first 12 months after the effective date of the ordinance adding this section, t~~The d~~D~~irector shall determine which matters ~~set~~first go to the Hearing Examiner before being heard by the c~~C~~ommission ~~shall first be subject to the hearing examiner procedure~~.

C. One or more of the following factors will ordinarily indicate to the Director that an initial hearing before the Hearing Examiner should be held:

1. The proposed project requires the preparation of an Environmental Impact Report;

2. The proposed project involves the preparation or update of a community or area wide plan or a major amendment to the zoning or subdivision ordinances;

3. The proposed project is likely to evoke significant public controversy;

4. The proposed project involves the construction of 50 or more residential units or 50,000 square feet or more of commercial or industrial floor area;

5. The proposed project will be processed as a major project pursuant to the provisions of Title 22, Chapter 22.70, the "Major Projects Review Trust Funds" provisions of this Title 22;

6. The proposed project includes a subdivision, general plan amendment, or zone change;

7. The proposed site of the proposed project is in a location in the County that is remote from downtown Los Angeles; and

8. Any other aspects of a proposed project that indicate to the Director that a Hearing Examiner hearing would be appropriate.

[2260171ELCC]

SECTION 2. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Mike Antonovich
Mayor

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of July 5, 2011 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Gloria Molina	Supervisors	None
	Mark Ridley-Thomas		
	Zev Yaroslavsky		
	Don Knabe		
	Michael D. Antonovich		

Effective Date: August 4, 2011

~~Operative Date:~~

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
ANDREA SHERIDAN ORDIN
County Counsel

By _____
Leela Kapur
Chief Deputy County Counsel

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