

SEC. 12.36. PROJECTS REQUIRING MULTIPLE APPROVALS. (CHARTER § 564

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(Title and Section Amended by Ord. No. 182,106, Eff. 5/20/12.)

A. Definitions. The following definitions shall apply to this Section:

Legislative Approval. Any approval that requires an action by the City Council, such as those as set forth in Sections 11.5.6, 11.5.7 G., 12.20.3 F., and 12.32 of this Code.

Quasi-judicial Approval. Any approval for which the initial decision becomes final unless appealed, such as those as set forth in Sections 11.5.7 C. - F., H., 12.20.2, 12.20.2.1, 12.20.3 I. - L., 12.21 A.2., 12.21 G.3., 12.22 A.25., 12.24, 12.24.1, 12.26 K., 12.27, 12.28, 12.30 H., 12.30 J., 12.32 H., 13.08 E., 14.00 B., 16.05, 16.50, and Article 8 of this Code.

Subdivision Approval. Any approval under the Division of Land Regulations set forth in Article 7 of this Code.

B. Filing Requirement. If an applicant files for a project that requires multiple Legislative and/or Quasi-judicial Approvals, then the procedures set forth in this section shall govern. Applicants shall file applications at the same time for all approvals reasonably related and necessary to complete the project. The procedures and time limits set forth in this Section shall only apply to multiple applications filed concurrently, except that, prior to a public hearing, the Director may require an applicant to amend an application for a project requiring multiple approvals to ensure that all relevant approvals are reviewed concurrently.

C. Decision-makers. Notwithstanding any provision of this Code to the contrary, the following shall apply for projects requiring multiple approvals.

1. **City Planning Commission.** If a project requires any approval or recommendation separately decided by an Area Planning Commission, the Zoning Administrator, and/or the Director, as the initial decision-maker, and also requires any approval or recommendation by the City Planning Commission as the initial decision-maker, then the City Planning Commission shall have initial decision-making authority for all of the approvals and/or recommendations.

(a) **Procedures.** If all of the applications are for Quasi-judicial Approvals, then the procedures for consideration and appeal of all the applications shall be those set forth in Section 12.24 D. through Q. of this Code. However, if any Legislative Approval is included, then the procedures for consideration and appeal of all the applications shall be those set forth in Section 12.32 B. through D. of this Code.

(b) **Appellate Body.** The City Council shall decide all appeals of the City Planning Commission's decisions or recommendations as the initial decision-maker on projects requiring multiple approvals.

2. **Area Planning Commission.** If a project requires an approval separately decided by the Zoning Administrator and/or the Director, as the initial decision-maker, and also requires any approval or recommendation by an Area Planning Commission as the initial decision-maker, then the Area Planning Commission where the project is located shall have initial decision-making authority for all of the approvals and recommendations.

(a) **Procedures.** If all of the applications are for Quasi-judicial Approvals, then the procedures for consideration and appeal of all the applications shall be those set forth in Section 12.24 D. through Q. of this Code. If, however, any Legislative Approval is included, then the procedures for consideration and appeal of all the approvals shall be those set forth in Section 12.32 B. through D. of this Code.

(b) **Appellate Body.** The City Council shall decide all appeals of the Area Planning Commission's decisions or recommendations as initial decision-maker for projects requiring multiple approvals.

3. **Zoning Administrator.** If a project requires approvals separately decided by the Zoning Administrator and the Director, as the initial decision-maker, then the Zoning Administrator shall have initial decision-making authority for all of the approvals.

(a) **Procedures.** The procedures for consideration and appeal of all related applications for Quasi-Judicial Approvals of the Zoning Administrator as initial decision-maker shall be those set forth in Section 12.24 D. through Q. of this Code.

(b) **Appellate Body.** The Area Planning Commission where the project is located shall decide all appeals of decisions of the Zoning Administrator as initial decision-maker on projects requiring multiple approvals. If, however, regulations within Chapter I of this Code require any of the approvals to be heard by the City Planning Commission on appeal, the City Planning Commission shall decide all appeals of decisions of the Zoning Administrator as initial decision-maker.

4. **Director of Planning.** If a project requires multiple approvals decided by the Director as the initial decision maker, the following shall apply.

(a) **Procedures.** The procedures for consideration and appeal of all related applications for Quasi-Judicial Approvals of the Director as initial decision-maker shall be those set forth in Section 16.05 G. through H. of this Code.

(b) **Appellate Body.** The Area Planning Commission where the project is located shall decide all appeals of decisions of the Director as initial decision-maker on projects requiring multiple approvals. If, however, regulations within Chapter I of this Code require any of the approvals to be heard by the City Planning Commission on appeal, the City Planning Commission shall decide all appeals of decisions of the Director as initial decision-maker.

5. **Advisory Agency.** If a project requiring multiple approvals also requires a Subdivision Approval by the Advisory Agency, that Subdivision Approval and any appeals shall be decided and governed by the rules set forth in Article 7 of Chapter 1 of this Code. Hearings for and consideration of appeals of Subdivision Approvals by the Advisory Agency shall be scheduled for the same time as any hearing and

decision by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals. Any time limit within which the Area Planning Commission or City Planning Commission must act on the applications before it shall be automatically extended as necessary to allow the Area Planning Commission or City Planning Commission to hear and decide appeals of Subdivision Approvals at the same time as it serves as the initial decision maker for the other approvals.

D. Findings. When acting on multiple applications for a project, the initial decision-maker or appellate body shall separately make all required findings for each application. When appropriate, the initial decision-maker or appellate body may make findings by reference to findings made for another application involving the same project.

E. No New Appeal Rights. This section does not create any additional appeal or level of appeal in connection with any land use approval. This section also does not limit or expand who may file an appeal as identified in each discretionary land use application process.

F. Extension Of Time To Act. Notwithstanding any other provision of the Code to the contrary, an extension of time to act on applications or initiations under the multiple approval provisions may be agreed upon between the applicant and the decision-maker or the appellate body.

G. Expiration. Notwithstanding any other provision of the Code:

1. Quasi-judicial Approvals granted in conjunction with Legislative Approvals pursuant to these multiple entitlement procedures shall expire with the Legislative Approval, not to exceed six years unless a greater time results from the application of Section 12.25.

2. Quasi-judicial Approvals granted in conjunction with a Subdivision Approval pursuant to these multiple entitlement procedures shall expire with the Subdivision Approval pursuant to Article 7 of this Code. If the expiration date on a Subdivision Approval is extended pursuant to Article 7 of this Code, or by amendment to the Subdivision Map Act, the Quasi-judicial Approval shall also be automatically extended for a commensurate period of time.

3. Legislative Approvals granted in conjunction with a Subdivision Approval pursuant to these multiple entitlement procedures may be extended for the full time limit of the Subdivision Approval, including time extensions pursuant to Article 7 of this Code, for the purpose of recordation of an approved map.