

**RESOLUTION OF THE LOS ANGELES CITY COUNCIL
SUBMITTING A CHARTER AMENDMENT TO THE VOTERS OF THE CITY OF
LOS ANGELES AND REQUESTING THE LOS ANGELES COUNTY BOARD OF
SUPERVISORS TO CONSOLIDATE THE ELECTION FOR THE CHARTER
AMENDMENT WITH THE STATE GENERAL ELECTION TO BE HELD ON
NOVEMBER 3, 2026**

WHEREAS, the City Council wishes to submit a Charter amendment to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 3, 2026, regarding the following subject: City Planning Department; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's election for the Charter amendment with the State General Election also to be held on November 3, 2026.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at an election consolidated with the City's General Municipal Election and the State General Election held on November 3, 2026.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY PLANNING DEPARTMENT. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: establish a Neighborhood Appeals Commission to replace Area Planning Commissions and establish a process for City Council review of Neighborhood Appeals Commission and City Planning Commission decisions; change the timing and process for City Council action on certain planning decisions; grant the Planning Department the authority to investigate, hear, and determine applications for quasi-judicial review; and allow for changes to floor area regulations by ordinance?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the text of proposed City ballot measures and specifying the date of the

election for the ballot measures. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing proposed City ballot measures may be obtained upon request in the City Clerk's office. The City Clerk is directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City's election for the ballot measure with the State General Election to be held on November 3, 2026, and to canvass the returns of the election and transmit the certified election results to the City.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding City ballot measures. In other particulars, the above-described election shall be held and conducted as provided in State Elections Code 10418 and other applicable law for the holding of elections consolidated with the State General Election.

Sec. 9. The City Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the City's election with the State General Election. The City will reimburse the County for the City's share of the costs incurred in conducting the City's election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 10. The City Clerk shall file a duly certified copy of this Resolution with the Board of Supervisors and County Registrar-Recorder/County Clerk.

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Los Angeles at its meeting held on _____.

PATRICE Y. LATTIMORE, City Clerk

By _____ Deputy

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Planning\Planning Department Charter Amendment -- Ballot Resolution Corrected 6.29.26.docx

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT ____ (CITY PLANNING DEPARTMENT)

Section 1. Subsection (e) of Section 104 of the Charter of the City of Los Angeles is amended to read as follows:

(e) **Floor Area Restriction.** The total floor area contained in all the buildings on any one building site shall not exceed 13 times the buildable area of the site, unless as otherwise provided by Council. ~~as such buildable area is defined by ordinance.~~ The Council, by ordinance, may define and implement the provisions of this subsection and may ~~further restrict and~~ regulate the total floor area, buildable area, and height or bulk of buildings or structures.

Sec. 2. Subsection (e) of Section 245 of the Charter of the City of Los Angeles, regarding City Council veto of board actions, is amended to read as follows:

(e) **Exceptions for Actions of the City Planning Commission and Neighborhood Appeals Commission** ~~Area Planning Commissions.~~ The Council shall not be limited to veto of actions of the City Planning Commission or Neighborhood Appeals Commission ~~Area Planning Commissions~~, but, subject to the time limits and other limitations of this section, after voting to bring the matter before it, shall have the same authority to act on a matter as that originally held by the City Planning Commission or Neighborhood Appeals Commission ~~Area Planning Commissions~~. If the Council vetoes and remands the matter, then the City Planning Commission or Neighborhood Appeals Commission shall have 30 days to take up the item again and concur or dissent. The action of the City Planning Commission or Neighborhood Appeals Commission on remand shall be presented to the Council in consideration of a final second vote on the matter by Council. Upon presentation of a final second vote, the Council shall have the same authority to act on a matter as that originally held by the City Planning Commission or Neighborhood Appeals Commission and must act, within 21 calendar days of said presentation, or the action of the City Planning Commission or Neighborhood Appeals Commission on remand becomes final. Calendar days that Council is in recess, arising from a Council-adopted recess schedule, shall be excluded from the 21 calendar days that Council has to act.

Sec. 3. Section 552 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 552. Neighborhood Appeals Commission ~~Area Planning Commissions.~~

The Council shall adopt an ordinance creating a commission comprised of no fewer than seven members that considers appeals of quasi-judicial determinations made by the Department of City Planning. Members shall be appointed and removed in

the same manner as members of the City Planning Commission, except that commissioner appointments shall be subject to qualification requirements concerning geographic or other representation as defined by ordinance. The Neighborhood Appeals Commission is a quasi-judicial agency, and shall have and exercise power to:

(a) hear and determine appeals of quasi-judicial determinations de novo, subject to procedures prescribed by ordinance; and

(b) hear and determine other matters delegated to it by ordinance.

~~The Council shall adopt an ordinance creating not less than five separate bodies to be known as Area Planning Commissions. The ordinance shall establish the boundaries of the area to be served by each Area Planning Commission, which shall be drawn so that all areas of the City are served by an Area Planning Commission. Each Area Planning Commission shall consist of five members. Members shall be appointed and removed in the same manner as members of the City Planning Commission, except that residency in the area served by the Area Planning Commission shall be a qualification for appointment. Except as provided in subsection (d), Area Planning Commissions are quasi-judicial agencies.~~

~~Each Area Planning Commission, with respect to matters concerning property located in the area served by the Area Planning Commission, shall have and exercise the power to:~~

~~(a) hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision, interpretation or other determination made by a Zoning Administrator;~~

~~(b) hear and make determinations on any matter normally under the jurisdiction of a Zoning Administrator when that matter has been transferred to the jurisdiction of the Area Planning Commission because the Zoning Administrator has failed to act within the time limits prescribed by ordinance;~~

~~(c) hear and determine applications for, or appeals related to, conditional use permits and other similar quasi-judicial approvals, in accordance with procedures prescribed by ordinance;~~

~~(d) make recommendations with respect to zone changes or similar matters referred to it from the City Planning Commission pursuant to Section 562; and~~

~~(e) hear and determine other matters delegated to it by ordinance.~~

Sec. 4. Subsection (e) of Section 555 of the Charter of the City of Los Angeles, regarding procedures for adoption the City's General Plan, is amended to read as follows:

(e) **Votes Necessary for Adoption.** If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification. If the Council has not acted within 75 days of the Mayor's recommendation, and the proposed General Plan Amendment has received a recommendation of approval from both the City Planning Commission and the Mayor, then the amendment shall be deemed approved.

Sec. 5. Section 560 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 560. Hearings and Investigations.

The City Planning Commission and Neighborhood Appeals Commission Area Planning Commissions may authorize the Director of Planning or his or her designee to conduct hearings on behalf of the commission. The Director of Planning shall make investigations relative to all matters provided for in Sections 555 and 558 as the City Planning Commission may direct and shall file reports with the City Planning Commission.

Sec. 6. Section 561 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 561. Quasi-Judicial Review ~~Office of Zoning Administration~~.

The Department of City Planning shall be responsible for the independent review and approval, conditional approval, or denial of quasi-judicial applications. The duties of quasi-judicial review shall be performed by designated City Planning staff, which shall include, but not be limited to, the Office of Zoning Administration, a Deputy Advisory Agency, and Hearing Officers, as authorized by ordinance, all of whom shall be appointed by the Director of Planning, subject to the civil service provisions of the Charter. Subject to rules and regulations as may be prescribed by ordinance, the Department of City Planning shall investigate, hear, and determine all applications for quasi-judicial review, and shall have other powers and duties with respect to zoning and land use determinations as prescribed by ordinance.

There shall be a quasi-judicial agency known as the Office of Zoning Administration. The duties of this office shall be performed by one or more Zoning Administrators as authorized by the Council, who shall be appointed by the Director of Planning subject to the civil service provisions of the Charter. If more than one Zoning Administrator is authorized, a position of Chief Zoning Administrator shall be established, the appointment to which shall be made by the Director of Planning, and the others shall be Associate Zoning Administrators. Subject to rules and regulations as may be prescribed by ordinance, the Office of Zoning Administration shall investigate and determine all applications for variances from any of the regulations and requirements of the zoning ordinances, and shall have other powers and duties with respect to zoning and land use as prescribed by ordinance.

The Council shall by ordinance provide time limits within which the Department of City Planning ~~a Zoning Administrator~~ must act for each type of case under its ~~his or her~~ jurisdiction. If no determination is made ~~by a Zoning Administrator~~ within the prescribed time, the applicant may request that the matter be transferred to the jurisdiction of the Neighborhood Appeals Commission ~~an Area Planning Commission~~ or other board as prescribed by ordinance.

The Chief Zoning Administrator may adopt rules necessary to carry out the requirements prescribed by ordinance and which are not in conflict or inconsistent with those ordinances. ~~All rules and regulations shall be available for inspection in accordance with the requirements of the California Public Records Act.~~

Sec. 7. Section 562 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 562. Variances.~~

~~The Council shall prescribe by ordinance the procedures for the granting of variances subject to the following:~~

~~(a) Initial Hearing and Determination. All applications for variances shall be heard and determined by a Zoning Administrator except as otherwise provided in Section 564.~~

~~(b) Appeals Process. An aggrieved person may appeal a variance decision of the Zoning Administrator to the Area Planning Commission. The grant of a variance by the Area Planning Commission may be further appealed to the City Planning Commission or Council as prescribed by ordinance. There shall be no further appeal from the decision of the Area Planning Commission to deny a variance. However, that action of the Area Planning Commission is subject to Council review pursuant to Section 245.~~

~~(c) Findings for Granting a Variance. The following findings shall be made before a variance may be granted:~~

~~(1) that the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;~~

~~(2) that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;~~

~~(3) that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;~~

~~(4) that the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and~~

~~(5) that the granting of the variance will not adversely affect any element of the General Plan.~~

~~The grant of a variance may include conditions that will remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning ordinance. A variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self-imposed.~~

Sec. 8. Section 563 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 563. Conditional Use Permits and Other Approvals.~~

~~(a) Subdivisions. The procedure for the approval of parcel maps, subdivision maps and other approvals granted pursuant to the State Subdivision Map Act shall be prescribed by ordinance.~~

~~(b) Conditional Use Permits and Other Similar Quasi-Judicial Approvals. The Council shall prescribe by ordinance the procedure for the granting of conditional use permits and similar quasi-judicial approvals subject to the following:~~

~~(1) Initial Determination. Applications for conditional use permits and similar quasi-judicial land use approvals shall be heard and determined either by the Zoning Administrator or Area Planning Commission as provided by~~

~~ordinance. However, the City Planning Commission may adopt rules and regulations, subject to approval by ordinance, that identify classes or categories of quasi-judicial approvals that have citywide impact, and provide for those approvals to be heard and determined by the City Planning Commission instead of an Area Planning Commission.~~

~~(2) Appeals Process. An aggrieved person may appeal a decision of the Zoning Administrator with respect to a conditional use permit or similar quasi-judicial approval to the Area Planning Commission. Decisions of an Area Planning Commission, except those decisions made by the Area Planning Commission on appeal from a decision of the Zoning Administrator, may be appealed either to the City Planning Commission or Council, as provided by ordinance. However, the process for the approval of conditional use permits and similar quasi-judicial approvals may not include more than one level of appeal from the decision of a decision-making official or body. For purposes of this restriction:~~

~~(A) The use of hearing examiners or other methods by which recommendations are made to a decision-making official or body does not preclude an appeal from the decision of the decision-making official or body.~~

~~(B) If the Council is acting as the appellate body, the Council's action may be subject to Mayoral approval and Council override of Mayoral disapproval by a two-thirds vote of the Council, if so provided by ordinance.~~

~~(C) Council review of an action under Charter Section 245 shall not be considered an appeal for purposes of this section.~~

~~(D) The restrictions on appeals do not apply to any legislative actions.~~

Sec. 9. Section 564 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 564. Projects Requiring Multiple Approvals.~~

~~If a project requires approvals by both the Zoning Administrator and either an Area Planning Commission or the City Planning Commission, those approvals that would otherwise be heard and determined by the Zoning Administrator shall be heard and determined by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals required for the project. Approvals for a project that requires both quasi-judicial and legislative actions shall be heard and determined by the City Planning Commission, except as provided in Section 565.~~

Sec. 10. Section 565 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 565. Delegation of Legislative Authority to Area Planning Commissions.~~

~~The City Planning Commission may adopt rules and regulations, subject to approval by ordinance, identifying classes or categories of legislative actions for projects determined not to have citywide impact, and provide for action on those projects to be taken by an Area Planning Commission in lieu of the City Planning Commission.~~

Sec. 11. Severability. If any section, subsection, clause, sentence, phrase, or application of this Charter amendment or any portion thereof is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, subsections, clauses, sentences, phrases, portions, or applications of this Charter amendment shall remain in full force and effect, and to this end the provisions of this Charter amendment are severable. In addition, the voters declare that they would have passed all sections, subsections, clauses, sentences, phrases, portions, and applications of this Charter amendment without the section, subsection, clause, sentence, phrase, portion, or application held unconstitutional or invalid.

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