



OFFICE OF ZONING ADMINISTRATION

City Hall • 200 N. Spring Street, Room 763 Los Angeles, CA 90012



OFFICE OF ZONING ADMINISTRATION

MEMORANDUM

ZA MEMORANDUM NO. 128

March 15, 2013

TO: Office of Zoning Administration
Public Counters
Interested Parties

FROM: Linn K. Wyatt
Chief Zoning Administrator

SUBJECT: **MASTER CONDITIONAL USE PERMITS - UTILIZATION**

This ZA Memorandum No. 128 modifies provisions established under ZA Memorandum No. 126 to reflect changes resulting from adoption of the Multiple Approvals Ordinance (Ord. No. 182,106, effective 5/20/12), specifically Los Angeles Municipal Code Section 12.25.

Section 12.25 of the Code is now operative and its relationship to the Master conditional use permit (MCUP) procedures, primarily in regards to Utilization, is explained below. Any reference to Section 12.24-J within ZA Memorandum No 126 is to be superseded by Section 12.25.

All other provisions of ZA Memorandum No. 126 shall remain as established.

Utilization of Master CUPs

With the adoption of the Multiple Approvals Ordinance (MAO), Los Angeles Municipal Code Section 12.24-J has been deleted, with provisions for utilization and expiration now established under Code Section 12.25.

Expiration of a MCUP grant is now subject to the time limits specified in Section 12.25-A,1 of the Los Angeles Municipal Code.; MCUP entitlements expire in three years from their effective date if not utilized.

Utilization of a MCUP is now subject to the provisions of Section 12.25-A,2 of the Los Angeles Municipal Code. Specific to *utilization* of a MCUP grant:

- *For those projects requiring permits for construction or alteration, the full MCUP approval shall be considered utilized (vested) when a valid permit from the Department of Building and Safety has been issued and construction work has begun and been carried on diligently without substantial suspension or abandonment of work.*
- *For those projects not requiring permits for construction or alteration from the Department of Building and Safety, the full MCUP grant shall be considered utilized (vested) when operations of the first use authorized by the approval have commenced.*

This means that for those MCUP grants that govern uses only, and do not require building permits for construction or alteration, the MCUP is "utilized" (vested) in its entirety when the first establishment commences operations (i.e., sale and distribution of alcohol) within three years. Thus, those Plan Approval applications that have not yet been processed, but are identified within the scope of the MCUP, will also become fully vested at that time. This allows for businesses that do not expect to be operational within three years of the initial granting of the MCUP, to retain their ability to file for their Plan Approval consideration without having to start the conditional use process anew.¹

Please direct any questions regarding these and other Master conditional use permit procedures to the Development Services Center, (213) 482-7077.

¹ ZA Memorandum No. 126 as previously enacted, established that Plan Approvals for specific tenant spaces conferred under the MCUP were required to be filed within the 3-year time limit under LAMC Section 12. 24-J, and, that if not filed within that 3-year time frame, the individual tenant space entitlements would not be considered "utilized" (vested) and thus would expire, necessitating a new application and approval, separate from the initial MCUP, if entitlements were still desired.