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Court of Appeal Affirms Trial Court’s Decision on Martin Expo Town Center Project

On October 1, 2018, the Second District Court of Appeals upheld the City of Los Angeles’ approval of the Martin Expo Town Center project, denying the appeal of the Trial Court decision.

A group called the Westsiders Opposed to Overdevelopment had challenged the planning approvals, arguing that the City did not have the authority to change the land use designation by initiating a General Plan Amendment for a single project site. However, in a [published decision](#), the Court found that the City was fully compliant with the requirements of City Charter Section 555, which states in part the following:

The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

Ultimately, the Court noted that deference must be given to a city’s interpretation of its own charter, adding that courts may not imply any limitations or restrictions. Based on these principles, the Court concluded that the proposed project site met the “significant social, economic or physical identity” requirement because it was located in one of the largest underutilized sites in the area.

While the City changed the existing land use to allow for mixed-use development, the Court upheld the City’s determination. The five-acre property is located one block from a new light rail station at the intersection of South Bundy Drive and West Olympic Boulevard. It is also the future site of the first major transit-oriented development on the Westside.

Since 2017, there have been three additional lower court rulings in favor of the City on similar challenges to the General Plan Amendment initiation process: *Crenshaw Subway Coalition, et. al. v. City of Los Angeles* (Cumulus Project in West Adams); *AIDS Healthcare Foundation v. City of Los Angeles* (Palladium Project in Hollywood); and *Past, Present Future Frogtown v. City of Los Angeles* (mapping error correction).

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