

CLIENT ALERT: CHANGES TO TOC TIER DETERMINATIONS ARE COMING IN DECEMBER – BE CAREFUL BEFORE BUYING NEW PROPERTIES AND GET YOUR

12.03.2018

The Los Angeles City Planning Department is reviewing its current TOC Tier determinations (i.e., whether a property is in a Tier 1, 2, 3 or 4 TOC incentive area) and has found numerous mistakes in its current TOC map and on ZIMAS.

These mistakes could severely impact future requests for TOC density bonuses and incentives, especially in the Valley or in West Los Angeles. The mistakes primarily involve properties which have been erroneously labeled as eligible for certain TOC incentives due to their locations near bus stops that do not meet the “Major Bus Stop” requirements in the TOC Guidelines. As a result, many properties will have their Tier determination downgraded or will be eliminated from TOC eligibility altogether – most, but not all, of these properties are located in the Valley or West Los Angeles.

In addition, the Planning Department will soon measure the required 750-ft. distance for a Tier 4 property located near a metro rail station/Rapid Bus stop only from the nearest metro rail station entrance – and not from either the station entrance or nearest Rapid Bus stop at the same intersection (whichever is shorter). As a result, a number of properties throughout the City will be downgraded from Tier 4 to Tier 3.

Revised TOC maps are expected to be released in December, and a memo from the City Planning Department announcing these revisions is expected within the next couple of weeks. However, a draft version of the new TOC map is not available to the public, and the only way to currently confirm whether your property is impacted is by the TOC revisions is by contacting City Planning staff. *So, please contact us (see contact information below) if you are considering purchasing a property for TOC development, and we will be happy to confirm whether your property may be impacted.*

PROFESSIONALS

Jonathan H. Riker

PRACTICE AREAS

Land Use and Environmental
Real Estate

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Note that these changes will not impact TOC applications that have already been accepted for processing, and City Planning staff have stated they will honor any TOC application request based on the current map as long as the Administrative TOC application (the pre-application form) is submitted prior to release of the revised map and all fees have been paid. So, submit your application forms as soon as possible if you are considering a TOC project on a property that you already own.

If you have any questions, please contact Ellia Thompson or Jonathan Riker at:

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