

GRAND JURY ASKS CITY PLANNING, ZONING REFORMS

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An in-depth study of city planning and zoning practices was recommended Thursday by the County Grand Jury.

The jurors asked that such a study and action on eight other recommendations for reform be carried out as soon as possible.

The investigative panel's action came as a result of two inquiries, one of which led to the indictment of a land developer on charges of grand theft and conspiracy to commit bribery in a Chatsworth zoning case.

The major recommendations, if carried out by city elective officials, would require:

- 1—The registration of all zoning specialists.
- 2—That the mayor be given veto

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power over all property reclassification cases.

3—That all elected and appointed officials dealing with zoning matters file sworn affidavits listing all of their real estate properties.

4—Both proponents and opponents be placed under oath during all formal zoning proceedings.

5—The filing with the city clerk of a list of all campaign contributions to officials voting on zoning matters.

Other recommendations would change the number of votes needed by the City Council to override Planning Commission recommendations, make it easier for individuals to obtain information on zoning matters, and make it mandatory that all meetings, formal or informal, at which zoning changes are discussed be open to the public.

'Grave Concern'

In their report, the jurors said they "could not legally conclude that monies were actually paid for the very favorable zoning obtained" in the Chatsworth matter, but they added: "There were many circumstances in the case that caused us grave concern."

As a result of the inquiry into whether bribes were paid in the Chatsworth case, the jurors conducted a supplemental study during which they heard testimony from several experts in the zoning field.

"We regretfully report that evidence heard demonstrated that influence can and has been and in all probability will be exerted through the medium of campaign contributions, political obligations and friendships," the jurors said.

In urging the in-depth planning study, the grand jury said the evidence it heard demonstrates existing wrongs in the field of zoning administration which are subject to correction.

However, the jurors pointed out that their stu-

dy was limited to evidence growing out of only the Chatsworth case.

"It is apparent that a projected and in-depth study of this field not only is overdue, but would be invaluable to the interests of our community," they said.

The jurors, although not spelling out who should provide the impetus for such a study nor how it should be funded, said, "Common sense dictates that (it) should be undertaken by an agency which in no way is answerable to any of the city agencies which are objects of the study itself."

The specialists the grand jury seeks to have register include land consultants, expeditors, zoning advisers and all other practitioners in that line of work.

The jury, it was stated, also feeling that certain minimal ethical standards should be established for their conduct, said such men perform a valuable function for persons desiring land zoning changes, but noted that they are totally unregulated and that community interest would be better served if they and their clients are identified.

No Veto Power

Pointing out that the mayor has no veto power over the issuance of conditional-use permits, the jurors urged legislation which would give the elected executive officer of the city final say on all property reclassification cases on the basis that such an additional check and balance would be in the best interest of the community.

The jury said that rulings of the Board of Zoning Adjustments which now are final should be appealable to the City Council with veto power by the mayor.

Recognizing a growing area of concern in all levels of government about possible conflicts of interest, the grand jury recommended that immediately upon appointment and/or election, and every six months thereafter, each

member of the City Planning Commission, Board of Zoning Adjustments and the City Council should file a sworn affidavit listing all real estate properties, their location, zone and use in which they have any direct or beneficial interest and any part of which is within the city limits or within 500 feet outside the borders.

The grand jury said applicants on any zoning matter, under penalty of perjury, should be required to file with the city clerk a detailed list of any campaign contributions made or promised to any elected official who may vote on the application and that such affidavit should be made at least five days before the hearing and should be part of the file.

Complex Field

Noting that the zoning and classification of property is a complex field encompassing numerous applicable laws, the grand jury said government should allow an individual owner an opportunity to apply for desired zoning without necessarily employing a specialist to represent him at great additional cost.

A spokesman for the jury said that although individuals now can apply for their own zoning, the field is so complex that the city should provide more information, advice and guidance, so that individuals realistically can handle their own matters.

The grand jury recommended that a four-fifths vote should be required for the City Council to override any recommendation of the City Planning Commission when the matter is not in accordance with the city's master plan.

All meetings or discussions dealing with zoning changes by applicants, their representatives and other interested parties with members of the Planning Commission or the City Council should be open to the public under provisions of the so-called Brown Act "in the spirit of promoting greater public knowledge and awareness of what different governmental units are doing," the jurors said.

Foreman Averill H. Munger, in releasing the report, said the grand jury will ask that its successor make a follow-up study to determine whether city officials are acting on their recommendations.