

1 LAW OFFICES OF SABRINA VENSUS
2 Sabrina Venskus, SBN 219153
3 Emilee Moeller, SBN 223836
4 171 Pier Avenue, Suite 204
5 Santa Monica, CA 90405
6 (213) 482-4200; Fax: (213) 482-4246

7 Attorneys for Petitioner

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

11 LUCILLE SAUNDERS, an individual, and)
12 LA BREA-WILLOUGHBY COALITION, a)
13 California unincorporated association,)

14 Petitioners,)

15 v.)

16 CITY OF LOS ANGELES; CITY COUNCIL)
17 OF LOS ANGELES; and CITY OF LOS)
18 ANGELES DEPARTMENT OF PLANNING,)
19 and DOES 1-10)

20 Respondents.)
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CASE NO.:

**PETITION FOR WRIT OF MANDATE;
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

(Code Civ. Proc. §§1060, 1085, 526, and
Gov.Code, §§ 65000 et seq.)

I.
INTRODUCTION

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4 1. Petitioners Lucille Saunders and La Brea-Willoughby Coalition bring this mandate
5 action in the public interest to compel the City of Los Angeles (hereinafter "City") to follow the
6 mandates of California's Planning and Zoning Law (codified in the Government Code, §§ 65000
7 *et seq.* "Gov't. Code") and the City of Los Angeles' General Plan (hereinafter "General Plan").
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9 Petitioners request this court declare that the City is in violation of its General Plan and the
10 Government Code for failing to perform its mandatory duties set forth by the General Plan.
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12 Petitioners' further request this Court enjoin the City from approving any zoning ordinances,
13 General Plan amendments or any elements thereof, vested tentative maps, development
14 agreements, or Specific Plans. In short, Petitioners pray for injunctive relief prohibiting any and
15 all further significant development approvals unless and until the City performs such mandatory
16 duties pursuant to the General Plan.
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18 2. The present matter involves issues of substantial public interest with respect to
19 state planning and zoning laws affecting Los Angeles' residents. Los Angeles residents,
20 workers and business owners are entitled to safe, healthy and habitable living conditions. Land
21 use planning is the linchpin of these rights. The City's failure to perform its mandatory duties
22 pursuant to its "land use planning constitution," otherwise known as the City's General Plan,
23 threatens the health, safety, and well-being of Los Angeles residents, workers and business
24 owners.
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1 3. The City is charged under the Government Code with preparing, updating and
2 implementing a "General Plan", which governs all land use approvals within the City. As the
3 Los Angeles Planning and Zoning Code's introduction states,
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5 The [Planning Department] is charged with the responsibility of preparing, maintaining
6 and implementing a General Plan for the development of the City. The General Plan
7 consists of the Framework Element, which provides overall guidance for the future of the
8 City, various other citywide elements including the state-mandated elements such as the
9 Transportation, Open Space and the Land Use among others. The Land Use Element is
10 largely made up of the community plans that fall for a range of allowable land uses and
intensities of uses as well as other matters relating to the use of land unique to each of the
City's many communities. ". (Los Angeles Municipal Code, Chapter 1, General Planning
Information).

11 4. In order to determine whether City infrastructure and services (such as wastewater
12 treatment, water supply and transportation infrastructure) are meeting the City's current and
13 near-future population growth's needs (and thus whether and how development should be
14 approved), the City's General Plan, Framework Element (hereinafter "Framework Element")
15 requires the City to analyze: (1) population projections provided by Southern California
16 Association of Governments ("SCAG"); and (2) the City's own actual monitoring of the City's
17 population growth, infrastructure and services to gauge the appropriateness of the estimates and
18 provide for their modification over time, so that actual growth can be accommodated when and
19 if it should occur. (Framework Element, Executive Summary, at p. 2.)
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22 5. A copy of the Framework Element is attached to this Petition as Exhibit A.
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24 6. The Framework Element, Executive Summary states: "A system for the annual
25 monitoring of growth, infrastructure, and services, used as the basis to guide future capital
26 investments and development decisions, [will be] used as a mechanism to gauge the
27 appropriateness of the estimates and provide for their modification over time." (Framework
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1 Element, Executive Summary, at p. 2.) As such, the Framework Element requires the City to
2 systematically monitor its actual population growth (as opposed to merely “projected”
3 population growth as reported by SCAG), sufficiency of City infrastructure and services, and
4 periodic reporting of the data collected as a result of said monitoring. The data is then to be
5 reported to the City decisionmakers, (including the City Council) for the express purpose of
6 informing all development decisions within the City. This monitoring and data collection tells
7 the City whether population growth is outpacing infrastructure and services, and whether
8 development approvals should be focused, limited or delayed based on the City’s ability or
9 inability to timely accommodate its population growth with the necessary infrastructure and
10 services required to support residents, workers, and business owners.
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14 7. The City has failed to fully perform its duties to monitor and report on population
15 growth and infrastructure and services as required by the City’s own General Plan.

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17 8. The City’s failure to perform the required monitoring and reporting while still
18 continuing to approve massive development at break-neck speed, threatens the health, safety and
19 welfare of the residents, workers and business owners of Los Angeles. Without the required
20 monitoring and reporting, City decisionmakers cannot know whether the population growth
21 facilitated by the sheer enormity of development approved within the last 10 years and
22 continuing, is overburdening or will likely overburden current infrastructure capacity and
23 services delivery. Without the required monitoring and reporting, neither can City desionmakers
24 determine whether planned infrastructure capacity and services delivery will come online in
25 time to accommodate the inevitable near-term increase in population that will result from
26 development already approved but not yet built.
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II.

JURISDICTION AND VENUE

9. This court has jurisdiction under Section 1085 of the California Code of Civil Procedure. All parties are located in Los Angeles County.

III.

PARTIES

10. Petitioner La Brea Willoughby Coalition (hereinafter "Coalition") is an unincorporated association with members residing in the La Brea-Willoughby neighborhood located in the City of Los Angeles. The Coalition brings this petition on its behalf and on behalf of all others similarly situated who are too numerous to be named and brought before this court as petitioners. The Coalition has been and continues to be involved in promoting the interests of those persons impacted by City Council's and Planning Department's land use and planning decisions.

11. Lucille Saunders is an individual residing in the City of Los Angeles. Ms. Saunders brings this petition on her behalf and on the behalf of all others similarly situated who are too numerous to be named and brought before this court as petitioners. Ms. Saunders has been involved in promoting the interests of those most likely to be impacted by City Council's and Planning Department's land use and planning decisions.

12. Respondent City of Los Angeles ("City") is a duly incorporated charter City, organized and existing under the Constitution and laws of the state of California. The City is charged with the authority to regulate and administer land use and development within its

1 territory, but must act in accordance with the Government Code, the City's General Plan, and all
2 other laws and regulations.

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4 13. Respondent City Council of Los Angeles is the legislative body and highest
5 administrative body of the City of Los Angeles and whose powers, duties and responsibilities
6 are set forth, in relevant part, by the City Charter sections 240 through 254; City Administrative
7 Code sections 2.1; 2.2; 2.9; 2.13; 2.14; 2.16; and Los Angeles Municipal Code Chapter 1
8 (Planning and Zoning Code). The City Council is authorized to approve of all zone changes,
9 development agreements, vested tentative maps, Specific Plan amendments and General Plan
10 amendments and to approve and provide for public facilities improvements.
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13 14. Respondent Department of City Planning ("Planning Department") is a
14 department within the City of Los Angeles, whose powers, duties and responsibilities for land
15 use planning and implementation are set forth, in relevant part, by the City Charter sections 550
16 though 566; and Los Angeles Municipal Code Chapter 1 (Planning and Zoning Code). The
17 Planning Department is charged by law with implementing the General Plan, including the
18 annual monitoring and reporting on the City's population growth, infrastructure, and services.
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21 15. Respondents and real parties in interest DOES 1 through 10 were at all times
22 relevant herein the employees, agents, or otherwise in privity with the remaining Respondents.
23 Petitioners are ignorant of the true names and capacities of respondents and real parties in
24 interest sued herein as Does 1 through 10, inclusive, and therefore sue these respondents by such
25 fictitious names. Petitioner will ask leave of this court to amend this complaint to allege the true
26 names and capacities when ascertained.
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1 20. The City adopted a General Plan. The City's General Plan encompasses various
2 elements, including the Framework Element. The General Plan Framework Element was
3 approved by the City Planning Commission on July 27, 1995 and adopted and re-adopted by the
4 City Council on December 11, 1996 and August 8, 2001, respectively.

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6 21. The City's General Plan Framework Element "is a strategy for long-term growth
7 that sets a citywide context to guide the subsequent amendments of the City's community plans,
8 zoning ordinances, and other pertinent programs. The Element responds to State and Federal
9 mandates to plan for the City of Los Angeles' future." (Framework Element, Executive
10 Summary, at p.1.)

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12 22. The Framework Element "establish[es] policies to best accommodate [the City's]
13 growth when and if it should occur" and "provides a means for accommodating new population
14 and employment in a manner which enhances rather than degrades the environment."
15 (Framework Element, Executive Summary, at p. 2, 1.)

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17 23. The Framework Element's implementation section describes each of the adopted
18 implementation programs and identifies funding sources, a performance schedule, and those
19 City departments responsible for implementation.

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21 24. The Framework Element is implemented in major part by the establishment of a
22 program to monitor growth and public service and infrastructure demands and capacities and the
23 preparation of an Annual Report on Growth and Infrastructure, based on information compiled
24 by the monitoring program.

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26 25. The Framework Element states: "The General Plan Framework Element is
27 implemented by a comprehensive program of strategies that encompass amendments of existing
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1 and preparation of new plans, ordinances, development standards, and design guidelines;
2 *conduct of studies and analyses*; capital investments; coordination of economic development
3 activities; modification of City procedures and development review and approval processes; and
4 interagency coordination.” (Framework Element, at p. 10-1 [emphasis added].)

6 26. The “Growth and Capacity” Chapter of the Framework Element describes the
7 importance of the monitoring and annual reporting for guiding land use and development
8 decisions within the City of Los Angeles: “After the Framework Element is adopted, the City
9 will establish a growth monitoring program that will provide important information regarding
10 the accuracy of future growth estimates and the distribution of that new development by
11 community plan area. This monitoring program will annually document what has actually
12 happened to the City's population levels, housing construction, employment levels, and the
13 availability of public infrastructure and public services.” “The information from such a
14 monitoring system will be presented to the City Council in the form of an Annual Report on
15 Growth and Infrastructure.” (Framework Element, at p. 2-3.)

19 **The City’s Mandatory Duties Pursuant to the Framework Element**

20 27. The Framework Element mandates that the City perform certain enumerated duties
21 regarding monitoring and reporting on population growth, infrastructure and services. The
22 duties relevant to this Petition are enumerated as P42, P43 and P44 within the Framework
23 Element and Chapter 1, Item Number 9 within the Framework Element.
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1 28. The Framework Element, P42, provides that, within one year of adoption of the
2 Framework Element, the City must “[e]stablish a Monitoring Program to accomplish the
3 following[:]
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5 a. Assess the status of development activity and supporting infrastructure and
6 public services within the City of Los Angeles. The data that are compiled can
7 function as indicators of (a) the rate of population growth, development activity,
8 and other factors that result in demands for transportation, infrastructure, and
9 services; (b) location and type of infrastructure investments and improvements;
10 in the Framework Element environmental database and the Environmental Impact
11 Report.

12 b. Assess transportation conditions and determine the City's progress toward
13 attainment of citywide transportation objectives.

14 c. Determine the progress of the Los Angeles County Sanitation District 2010
15 Master Facilities Program and any other capital improvement projects which could
16 affect their ability to collect City wastewater and provide full secondary treatment
17 for that wastewater.

18 d. Identify existing or potential constraints or deficiencies of other infrastructure in
19 meeting existing and projected demand.

20 e. Identify, based on consultation with the LAUSD, the surplus and/or deficit of
21 classroom seats.

22 (Framework Element, at p. 10-18.)

23 29. The responsibility for establishing and implementing the monitoring program
24 under Framework Element, P42 is placed on the Planning Department, and other agencies
25 within the City. As of the date of filing this petition, the City has failed to perform this
26 mandatory duty.

27 30. The Framework Element, P43, provides that *at the end of each fiscal year*, the
28 Planning Department must:

1 Prepare an Annual Report on Growth and Infrastructure based on the results of the
2 Monitoring Program, which will be published at the end of each fiscal year and shall
3 include information such as population estimates and an inventory of new development.
4 This report is intended to provide City staff, the City Council, and service providers with
5 information that can facilitate the programming and funding of capital improvements and
6 services. Additionally, this report will inform the general plan amendment process.
7 Information shall be documented by relevant geographic boundaries, such as service
8 areas, Community Plan Areas, or City Council Districts.

(Framework Element, at p. 10-18.)

8 31. As of the date of filing this petition, the City has failed to prepare an Annual
9 Report on Growth and Infrastructure (hereinafter "Annual Report") since 2000. The Annual
10 Report published in 2000 was a report for the years 1996-1998. Thus, Annual Reports have not
11 been produced for years 1999 to the present.

12 32. The Framework Element, P44, provides that within 24 months after adoption of
13 the Framework Element, the Department of Planning and Transportation "Establish a citywide
14 transportation database to be used in the Monitoring Program. The database should include:
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- 17 a. Measures of accessibility at the community plan area level;
- 18 b. Measures of mobility (including levels of service, mode split, and vehicle occupancy)
19 at the screenline, community plan area, and citywide levels; and
- 20 c. Measures of plan development (such as TIMP adoption for targeted growth areas and
21 community-level accessibility plan adoption) at the citywide level."
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(Framework Element, at p. 10-18.)

23 33. As of the date of filing this petition, the City has failed to establish a citywide
24 transportation database to be used in the Monitoring Program.

25 34. Chapter 1 of the Framework Element, item number 9 provides:
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1 The Department of City Planning has established a program to comprehensively update
2 general plan elements and community plans to implement the goals, policies, and
3 objectives established in the Citywide General Plan Framework Element. Subject to
4 availability of funding, all comprehensive updates of the citywide elements and the
5 community plans for the purpose of implementing the Framework Element *shall be*
6 *initiated within five years of adoption of the Framework Element.* Phasing of such
7 updates may be made in accordance with Objective 3.3. and Policies 3.3.1 and 3.3.2
8 based on the monitoring of population, development, and infrastructure and service
9 capacities as recommended through the Annual Report on Growth and Infrastructure.

(Framework Element, at p. 1-9 [emphasis added].)

10 35. As of the date of filing this petition, the City has failed to perform its mandatory
11 duty to update the Hollywood Community Plan, which has not been updated in over 20 years,
12 the last update being 1987. Therefore, the City has failed to perform its mandatory duty to
13 update the Hollywood Community Plan within any reasonable proximity to the specified
14 timeframe set forth in the General Plan. In addition, the “phasing” of the Hollywood
15 Community Plan update is not acceptable in this instance because, as set forth in the proceeding
16 paragraph, “phasing” must be based upon the Annual Report, which, as previously stated, has
17 not been published since 2000.

18 36. Petitioner has no available administrative remedies before Respondent City.

19 37. Petitioner has no right of appeal from Respondents’ failure to act and do not have
20 a plain, speedy, and adequate remedy in the ordinary course of law other than the relief sought
21 in this petition. This action is timely filed.

22 38. Respondents have a present legal duty and present ability to perform the
23 mandatory duties enumerated in General Plan, as set forth herein.
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1 39. The General Plan, Framework Element, sections P42, P43, and P44 impose a clear
2 ministerial duty upon the City. The General Plan confers no discretion upon the City according
3 to these terms; the City must establish and implement the Monitoring Program (P42); establish a
4 transportation database to be used in the Monitoring Program (P44); make the assessments,
5 determinations and identifications required under the Monitoring Program (P42); and, based on
6 the resulting data from the Monitoring Program, prepare an Annual Report on Growth and
7 Infrastructure, to be published at the end of each fiscal year and provided to City decisionmakers
8 (P43).

9 40. Petitioners are entitled to a writ of mandate under California Code of Civil
10 Procedure §1085 in that Respondents have failed to perform the mandatory ministerial duties set
11 forth in the General Plan as identified herein.

12 41. The Coalition and Lucille Saunders possess a beneficial right to compel the City to
13 perform its mandatory duties set forth the General Plan. The well-being of Lucille Saunders and
14 the Coalition's members as residents and property owners, and all members of the public which
15 for whom Petitioners bring this action, are reliant upon information provided through the
16 General Plan's mandated processes and programs in that without this information, land use
17 planning decisionmakers cannot be certain that City infrastructure and services will serve and
18 protect Petitioners and whom they represent. For example, the City's sanitation, water supply,
19 electricity and transportation infrastructure are essential City functions and services which the
20 City must preserve for existing residents, workers and business owners, and are enjoyed by
21 Petitioners. Failure of respondent City to provide updated, accurate Annual Reports to its land
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1 use decisionmakers impairs the decisionmaking process and integrity on issues of great concern
2 to health, safety, general welfare, and quality of life.

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4 42. Lucille Saunders and the Coalition, each as a beneficially interested party, have an
5 important interest in securing the most updated information on the City's growth and
6 infrastructure for the City's decisionmakers, and ensuring that the policies of the General Plan
7 are carried out through its mandated implementation procedures.

8
9 43. Petitioners Lucille Saunders and the Coalition's members are interested as citizens
10 in ensuring laws are executed and mandatory duties enforced.

11 44. Petitioners' success in this action will result in the enforcement of important
12 rights affecting the general public by conferring significant benefits on a large class of persons.
13 Petitioners seek enforcement of rights not only for themselves, but for all residents of Los
14 Angeles who will benefit from the relief sought by this Petition.

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16 45. Furthermore, private enforcement of these duties is necessary as no other
17 departments or agencies have enforced the General Plan and Government Code requirements on
18 the City.

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20 46. Petitioners take it upon themselves to enforce these mandatory duties for the
21 benefit of themselves and of the public. Petitioners will not recover any money as a direct result
22 of the successful litigation of this matter. There is a financial burden incurred in pursuing this
23 action and it will be against the interests of justice to penalize Petitioners by forcing them to pay
24 attorneys fees. Therefore, an order of attorneys fees is appropriate under California Code of
25 Civil Procedure §1021.5.
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1 including a vesting tentative map, shall be approved unless it is consistent with the general plan.

2 54. To be consistent with the general plan, a project must be compatible with the
3 objectives, policies, general land uses and programs specified in the General Plan.
4

5 55. Any development project approved in the absence of growth and infrastructure
6 monitoring and reporting is not compatible with the Framework Element objective that such
7 monitoring and reporting inform land use decisions.
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9 56. The Framework Element recognizes that restrictions on development must occur if
10 the Framework Element is not implemented via monitoring: "the linkage between future growth
11 and services will occur through the implementation of a monitoring program that provides
12 information regarding 'real' demands and service levels in order to guide public decisions
13 regarding infrastructure and service investments. Successful application of this system would
14 mitigate the need to restrict development to ensure adequate level of service." (Framework
15 Element, at p. 9-1.)
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18 57. Despite the City's failure to perform the mandatory duties set forth in Framework
19 Elements P42, P43, and P44, to prepare annual reports, establish monitoring and collect data
20 intended to inform the General Plan's implementation, the City continues to approve
21 development at break-neck speed and intensity nearly *always* in favor of upzoning land, thereby
22 increasing population growth and density.
23

24 58. The City has issued millions of construction permits for new buildings since the
25 last published Annual Report in 2000. A copy of the City's summary of permits is attached as
26 Exhibit B to this Petition. In the second quarter of fiscal year 2008 alone, the city issued
27 1,981,509 construction permits for new buildings. (Exhibit B, at p. 1.)
28

1 59. Approvals of zoning ordinances, specific plan amendments, general plan
2 amendments, development agreements, and tentative subdivision maps, any and all of which
3 vest applicants with a property right to develop their land, while the duties mandated by the
4 General Plan's Framework Element remain unperformed, are *per se* inconsistent with the
5 General Plan and should therefore be enjoined.
6

7 **Harm to Petitioners**
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9 60. The Framework Element's implementation provides guidance to the local
10 "Community Plans" which govern development in 35 areas of the City.
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12 61. The Framework Element "establishes the standards, goals, policies, objectives,
13 programs, terms, definitions, and direction to guide the update of citywide elements and the
14 community plans." (Framework Element, at p. 1-8.)
15

16 62. Community Plans must rely on the Annual Reports and monitoring in order to
17 determine whether new development should be allowed and whether significant or potentially
18 significant environmental impacts due to growth will occur and whether environmental
19 mitigation will be adequate to reduce those impacts to a less than significant level.
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21 63. For example, the recent Westchester Community Plan ("WCP") environmental
22 impact report "EIR" states that the WCP is premised in part on "monitoring of population
23 growth and infrastructure improvements through the City's Annual Report on Growth and
24 Infrastructure" (WCP, page 2.0-1.) The WCP provides:
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26 [I]f this monitoring finds that population in the [Community Plan Area] is occurring
27 faster than projected, and that infrastructure capacities are threatened in relation to user
28 need, particularly critical infrastructure such as those pertaining to water and sewerage,
but also including public schools, police and fire services, and transportation

1 infrastructure, and that there is not a clear commitment to at least begin the necessary
2 improvements within twelve months, then building controls would be put into effect for
3 the affected portions of the [Community Plan Area] until land use designations for the
4 Community Plan and corresponding zoning are *revised to more appropriately limit new*
5 *development*. The residential land use policies reflect the need for a safe, secure and
6 high-quality residential environment for all economic, age and ethnic segments of the
7 Community.”

8 (WCP, page 2.0-1 [emphasis added].)

9 The proposed [Westchester Community] Plan projects a maximum population capacity
10 that is greater than the level of development predicted by the SCAG 2025 Market
11 Forecast for the period of implementation. However, it has a lower housing and
12 employment capacity than the level forecasted by SCAG for the year 2025. During the
13 life of the adopted Plan, growth will be monitored for the Congestion Management
14 Program (CMP), adopted in December 1993 by the Los Angeles County
15 Transportation Authority, and reported in the City’s Annual Report on Growth and
16 Infrastructure which is submitted to the City Planning Commission, the Mayor, and the
17 City Council. In the fifth year following Plan adoption (and every five years thereafter),
18 the Director of Planning shall report to the City Planning Commission on the relationship
19 between population, employment, housing growth and plan capacities. *If growth has*
20 *occurred faster than projected, a revised environmental analysis will be prepared and*
21 *appropriate changes to the Community Plan and zoning will be recommended*. These
22 Plan and zoning changes, and *any related moratoria or interim control ordinances*, shall
23 be submitted to the City Planning Commission, the Mayor, and the City Council, as
24 specified in the Los Angeles Municipal Code (LAMC).

25 (WCP, Project Description [emphasis added].)

26 64. In addition to the requirements of community plans, the Framework Element EIR
27 requires monitoring to determine whether further environmental review of the implementation
28 of the citywide Framework Element is required. The Framework Element provides that the
29 Annual Reports will be presented to the City Council to be “used as the basis for revision of
30 policies as needed to meet the goals of the Framework Element. The status of environmental
31 mitigation requirements can also be determined and policies can be changed if desired results
32 are not being obtained.” (Framework Element, at p. 2-3.) The “impacts of the additional level

1 of growth must be found to be consistent with the findings of the [2001 Framework Element]
2 Environmental Impact Report regarding their level of significance. Should additional potential
3 impacts be identified, these would be subject to further environmental review in accordance with
4 CEQA [California Environmental Quality Act].” (Framework Element, at p. 2-5.)
5

6 65. The Framework Element EIR states:

7
8 The Framework Element includes an on-going monitoring program to update the
9 demographic forecasts that underpin the plan and its Environmental Impact Report (EIR).
10 The monitoring system will result in the issuance of an Annual Report on Growth and
11 Infrastructure which will be used to modify plan and EIR assumptions and serve as the
12 basis for evaluating the effectiveness of the Framework Element's objectives, policies,
13 programs, and mitigation measures.

14 The Department of City Planning, as Lead Agency for the Framework Element, oversaw
15 the preparation of a Program Environmental Impact Report (EIR). The EIR assumes that
16 SCAG's population and housing estimates will occur as forecast and that the Framework
17 Element's economic development goal will also be attained. If these forecasts do not
18 occur as projected and the economic development goal is not accomplished then the
19 impacts reported in the EIR could be either greater or lesser, depending on whether more
20 or less growth actually occurs.

(Citywide General Plan Framework, An Element Of The General Plan Of The City Of
Los Angeles, Final Environmental Impact Report, at p. 21.)

19 66. Irreparable harm to the environment and Petitioners will result when the City's
20 actual population growth overburdens the City's infrastructure and services.

21
22 **PRAYER FOR RELIEF**

23 WHEREFORE, Petitioners pray for relief as follows:

- 24 1. For a writ of mandate to issue:
- 25 a. Commanding Respondent Department of City Planning to immediately
26 establish, without delay, a monitoring program as required by Framework
27 Element P42;
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- 1 b. Commanding Respondent Department of City Planning to immediately
2 prepare, without delay, an Annual Report on Growth and Infrastructure as
3 required by Framework Element P43 for years 1999 through 2008 and
4 continuing thereafter on an annual basis;
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- 6 c. Commanding Respondent Department of City Planning to immediately
7 establish, or cause to be established, without delay, a transportation database
8 under Framework Element Section P44;
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- 10 d. Commanding Respondent City to approve a revised Hollywood
11 Community Plan within 6 months of the writ of mandate;
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13 2. For declaratory relief:

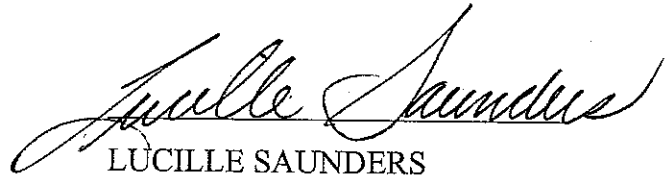
- 14 a. Declaring that Respondent City of Los Angeles is in violation of its General
15 Plan, its municipal code, and the Government Code by failing to perform the
16 mandatory duties set forth in General Plan Framework Element P42, P43 and
17 P44;
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- 19 b. Declaring that Respondent City of Los Angeles is in violation of the
20 Government Code because by approving development without having performed
21 all of its mandatory duties under the Framework Element, the City's said
22 approvals are inconsistent with the General Plan;
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- 24 c. Declaring the City of Los Angeles is in violation of its General Plan for
25 failing to update, revise and approve the Hollywood Community Plan for over
26 20 years;
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VERIFICATION

I, the undersigned, declare that I am a Petitioner in this action. I have read the foregoing PETITION FOR WRIT OF MANDATE and know the contents thereof, and the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th day, of June, 2008, in Los Angeles, California.


LUCILLE SAUNDERS