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## **Los Angeles's Transit Oriented Communities Program Sees Its Wings Clipped ... Somewhat - Holland & Knight**

### **Highlights**

- In *Fix the City, Inc. v. City of Los Angeles*, the Los Angeles Superior Court ruled that conflicts between qualifying Transit Oriented Communities (TOC) Guidelines and specific plan requirements should be resolved in favor of a specific plan.
- The incentives provided by the TOC Guidelines do not carry legislative authority, while the Westwood Specific Plan was created by ordinance, and the TOC Guidelines therefore lack the requisite authority to override the Specific Plan.
- Developers should use caution when seeking to deploy TOC Program incentives in the face of more stringent, conflicting regulations within a local specific plan.

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**Holland & Knight LLP** – Andrew J. Starrels and Luca Trumbull

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