

## **Proposed Ordinance Zoning Code/Los Angeles Municipal Code(LAMC)/Reorganization of Administrative Provisions/Amendment Council File 12-0460-S4**

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Nov 29, 2018 9:16 AM

Posted in group: **Clerk-PLUM-Committee**

I am writing in opposition to this zoning code proposal: Council File 12-0460-S4

Office of The Clerk of the City of Los Angeles  
City Hall, Room 260  
200 N. Spring Street  
Los Angeles, CA 90012

**Re: OPPOSITION TO Zoning Code/Los Angeles Municipal Code (LAMC)/ Reorganization of Administrative Provisions/Amendment Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CE – ("Proposal")**

### **PLEASE PLACE THIS IN THE RECORD OF THIS FILE**

The Proposal is substantive not merely "procedural." It incorporates and allows "State law" to set the parameters for authority of, and delegate authority to, the Mayor, the Director of Planning, the Advisory Agency and Council. The references to State law in fact may be viewed as eroding our status as a Charter City. That delegation by ordinance could irreversibly cede control that we as a Charter City to the State, thereby implementing the default provisions of the Government Code that otherwise would not apply or would apply differently to Charter Cities.

The Proposal sets the Director of Planning and the Advisory Agency (which the Proposal enshrines under State law and the Charter without the restrictions of LAMC Chapter 1, Article 7) as the source of nearly all Zoning, Planning and Land Use legislation, interpretations, decisions on all projects big and small, grantor of alternative compliance and adjustment flavors, and, in most cases, free of Council review or appeal. The statutory grant of powers and authority mirrored by the change in nomenclature (from "director's decisions" to "Director's Determinations" from "site review" and "project permit compliance" to "Project Review) coupled with the changes in procedure -- shortening notice periods, disenfranchising Neighborhood Councils, increasing the ability to waive public hearings and to grant entitlements and "Adjustments" even without a public hearing, failing to include advance notice and the early notification system and limiting appeals to a single level of appeal or to no right of appeal at all, combine to vastly increase the Director's power, authority and decision making authority. This is inappropriate.

The omission and curtailment of participation by citizens and our elected Neighborhood Councils is a substantive change that requires this Proposal be sent back for revision.

a. DONE and the NCs are the only charter entities involved in Zoning that are not included in the ordinance. They need to be added.

b. There is no reference to the early notification system in the LAAC or the early warning system in the Charter. When the Proposal meant to leave something unchanged, it says so. Section 13.1.5 specifically lists the Cultural Heritage Commission among the authorities and refers back to the LAAC. The Early Notification System enshrined in the Charter and the LAAC needs to be similarly incorporated into the Proposal for the benefit of all citizens and the NCs.

c. The Neighborhood Councils have been excised from the mailed notices required for Director decisions and determination. That needs to be corrected.

d. The excuse that the reduction from 500 feet to 300 feet was necessitated by a "standardization" of notices is falderal. There are still processes that remain in the truncated LAMC Chapter 1 with 500 foot radius notices so the reason given for reducing the radius is wrong.

e. The reduction of notice period to 21 days is too short a time period for most appeals. PLUM and Council should ask whether the DCP considered expansion to 75 days to "standardize" the time frame to match the current periods for consideration of an appeal by city entities. Shortening the time frame has the effect of making appeals virtually impossible for citizens particularly without incorporating the Early Notification System and advance notice.

PLUM and Council must reject the Proposal and return it to the DCP for clarification, revision and recirculation.

**Thank you for your consideration and please oppose this proposal.**

**Carole Casten  
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