

Communication from Public

Name: Franklin Corridor Communities

Date Submitted: 05/28/2021 12:01 PM

Council File No: 12-0460-S4

Comments for Public Posting: I am submitting the attached letter on behalf of Franklin Corridor Communities. Thank you, Susan Winsberg, President Franklin Corridor Communities

Franklin Corridor Communities

Reinstating the Local Voice in Development Decision Making

May 28, 2021

Members of the PLUM Committee
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012

Re: Processes and Procedures Ordinance, CF 12-0460-S4
PLUM Agenda, 6/1/2021, Item No. 19, Opposed

Dear Members of the Planning and Land Use Management Committee,

The members of Franklin Corridor Communities are writing to urge you to reject the proposed Processes and Procedures Ordinance in its current form. While the Department of City Planning contends that their goal is only to consolidate and clarify the current approval process, there are significant problems with the current language that need to be addressed. In the form it's in now, the ordinance reduces opportunities for participation by neighborhood councils and gives more power to unelected officials.

Of the neighborhood councils that have submitted a CIS on this ordinance, the clear majority oppose adopting the ordinance in its current form. These seven neighborhood councils represent a broad cross-section of LA's communities, and their opposition shows that a diverse group of stakeholders do not approve of the current ordinance.

These are the specific concerns of Franklin Corridor Communities:

- The Processes and Procedures Ordinance is only one chapter of the New Zoning Code. It must be considered and adopted as part of the entire new code.
 - Because the New Zoning Code allows by-right increases in density and height, it will actually reduce the number of discretionary actions, making more projects eligible for ministerial approval. City Planning's claims that the Processes and Procedures Ordinance offers the same level of public engagement must be considered in light of the entire zoning code. Piecemeal public review thwarts public engagement.
- The ordinance only requires notice to NCs for public hearings, not for project applications. Currently NCs receive notice for all new projects in their area under

the early notification system. The failure to include the ENS in the ordinance seems to be an effort to reduce participation by NCs.

- The ordinance allows developers to obtain "adjustments" through a streamlined process that involves only a decision by the Director of Planning. There is no clear definition of what constitutes an "adjustment".
- The ordinance expands the power of the CPC, giving it the authority to make decisions on CUPs, HPOZs and other actions. The CPC is an unelected body and its function should be to review and make recommendations to elected officials. Final decisions on these matters must be made by elected officials who are accountable to the public.

We urge the PLUM Committee to reject the ordinance in its current form and to return it to the Department of City Planning so these concerns can be addressed.

Sincerely,

A handwritten signature in black ink, appearing to be 'Susan Winsberg', with a long horizontal stroke extending to the right.

Susan Winsberg, President
Franklin Corridor Communities

Communication from Public

Name: Casey Maddren

Date Submitted: 05/28/2021 04:27 PM

Council File No: 12-0460-S4

Comments for Public Posting: Please see the attached comments I am submitting stating my opposition to approval of the current version of the proposed Processes & Procedures Ordinance.

May 28, 2021

Members of the PLUM Committee
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: Processes & Procedures Ordinance
Council File 12-0460-S4
PLUM Agenda, June 1, 2021, Item 19
OPPOSED

Members of the PLUM Committee,

I am writing to express my surprise and bewilderment at the inclusion of the proposed Processes & Procedures Ordinance on your agenda for June 1, Item 19. **Aside from the fact that I personally oppose adoption of the current version of the Ordinance, I am puzzled by the Council's apparent willingness to cede authority to the Department of City Planning (DCP). I am also baffled by the Council's apparent lack of concern about the fact that the DCP has completely ignored the Council's instructions from February of this year (CF 20-1045) to update the Ordinance with additional criteria on when entitlements will be granted and to add language ensuring that the public's interest is served.** I have found no evidence that the DCP has even created a draft of the additional language, and yet now the Ordinance is on the PLUM agenda. Is there anyone on the Council who is concerned by the fact that the DCP has apparently ignored clear instructions from the Council?

Allow me to begin with a brief list of my objections to approval of the Ordinance in its current form.

- *The DCP has failed to include language regarding additional criteria for granting entitlements and ensuring the furtherance of the public's interests, in spite of clear instructions from the Council.*
- *The PLUM placed the Ordinance on its agenda two days after the DCP posted "technical corrections", which in one case substantially reduces noticing requirements for appeal hearings.*
- *The Ordinance gives unelected bureaucrats new authority to make decisions regarding project "adjustments", "alternative compliance", CUPs and HPOZs.*
- *The Ordinance is a fundamental part of the New Zoning Code (NZC), and its approval must be considered in the context of the entire NZC, which will allow substantial increases in height and density with no requirement for public notice or public engagement.*
- *The Ordinance only requires that NCs be notified of public hearings, of which there will be far fewer under the NZC, since it allows substantial by-right increases in height and density.*
- *The Ordinance allows the Director of Planning to grant "adjustments" without defining clearly what an "adjustment" is.*

I'd like to offer the following specific arguments in support of the objections listed above....

The DCP Has Failed to Comply with Council's Instructions Regarding Additional Language

On February 16 of this year, the Council unanimously approved a motion from Council President Nury Martinez instructing the DCP to update the Ordinance with additional criteria for granting entitlements and language ensuring the furtherance of the public's interests (CF 20-1045, Land Use Reform / Increasing Transparency / Processes and Procedures Ordinance). In her motion, Councilmember Martinez cited public concern over the approval process for some projects. She states, "For this reason, it is necessary to provide additional criteria in the Processes and Procedures Ordinance on when legislative actions and other entitlements can occur. This will give more discretion to the Planning Department to make sure these actions align with broader city goals and the public interest. This will also provide more transparency to the public when a project can diverge from existing zoning."

Councilmember Martinez' concerns are certainly justified, and the actions she recommended are completely reasonable. The PLUM and the City Council both unanimously approved the following:

1.

INSTRUCT the Department of City Planning (DCP), in coordination with the Chief Legislative Analyst (CLA), to:

a.

Update the Processes and Procedures Ordinance with additional criteria on when entitlements such as legislative actions and Conditional Use Permits will be granted and should restrict actions from moving forward unless it can be established that they are in the public interest or otherwise adhere to established policies of the City.

In spite of this, the Ordinance is now on the PLUM agenda, and there is no evidence that the DCP has made any effort to comply with the Council's instructions. How is this possible? Does the DCP need to respond to instructions given by the Council, the elected representatives of the people of LA? Or is the DCP an independent agency that follows its own lead?

The Ordinance Was Placed on the PLUM Agenda Two Days after Technical Corrections Posted

On Tuesday, May 25, the DCP posted "technical corrections" to the Ordinance, and two days later the Ordinance appeared on the PLUM agenda. While some of the corrections may be small, the changes to noticing requirements for appeals are significant. The following "correction" is outlined on page 3:

Replace "The owners and occupants of all property within and outside the City within 300 feet of the exterior boundaries of the area subject to the application (or the expanded area described below); and" with "Owners of all properties abutting, across the street or alley from or having a common corner with the subject property;

The alteration is a crucial and significant change, not a "technical" correction. The fact that this document was posted such a short time before the PLUM hearing means that stakeholders, especially neighborhoods councils, do not have adequate time to respond.

The Ordinance is a Fundamental Component of the New Zoning Code and Must Be Reviewed in the Context of the Entire NZC

As the PLUM knows, the City is in the process of creating a New Zoning Code (NZC) which will allow substantial increases in height and density with no requirement for public notice or public engagement. The Processes & Procedures Ordinance is only one chapter of the NZC, and it must be considered in the context of the other chapters. The DCP claims that the Ordinance preserves public engagement based on noticing requirements for public hearings, but if the NZC is approved, far fewer projects will require public hearings because applicants will be able to receive generous density bonuses by right.

The Ordinance Cedes Significant Decision-Making Authority to Unelected Officials

The Ordinance gives unelected bureaucrats new authority to make decisions regarding project "adjustments", "alternative compliance", CUPs and HPOZs. While all of this is problematic, the fact that the Ordinance fails to clearly define what constitutes an "adjustment" is especially troubling. Additionally, there is no clear definition of "alternative compliance". This seems to be an effort to allow unelected bureaucrats to relieve developers of their obligation to comply with the LAMC, which will undoubtedly have substantial adverse impacts on LA's communities.

The Ordinance Only Requires Notice of Public Hearings to NCs

The Ordinance seems designed to remove neighborhood councils from the planning process. It only requires that NCs be notified of public hearings, of which there will be far fewer under the NZC, since it allows substantial by-right increases in height and density. The Ordinance makes no mention of the Early Notification System (ENS), which allows all NCs to get regular updates on applications that have been submitted for the areas they serve. While NCs have no decision-making authority, they provide a crucial forum for public engagement, giving stakeholders the opportunity to review and comment on proposed projects.

Since the Form, Density and Public Benefits chapters of the NZC allow significant by-right increases in height and density, and the Processes & Procedures Ordinance moves decision-making authority to unelected bureaucrats, it's clear that far fewer public hearings will be required if the NZC is approved. Holding out the promise of notice for these hearings, when the DCP knows the number will be reduced, appears to be a deliberate deception. The fact that the Ordinance fails to even mention the ENS makes it clear that one of the NZC's chief goals is to shut the public out of the planning process to the greatest extent possible.

The ENS must be codified within the language of the Ordinance.

Having said all this, I ask that the PLUM seriously consider deferring consideration of the Processes & Procedures Ordinance. While the notice given for this hearing complies with the requirements of the Brown Act, in fact, it allows the public only one business day to provide comments in advance of the meeting.

And if the PLUM does move ahead with consideration of the Ordinance, I ask that the Chair please explain why it is inclined to do so, since both the PLUM and the Council unanimously voted to instruct the DCP to add new language, which does not appear to be included. Any suggestion that the language could be added at a later time will be insufficient, since a revision of that kind would require additional public review.

I urge you to postpone consideration of this Ordinance. In its current version, it does not serve the best interests of the people of Los Angeles.

Sincerely,
Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068

Communication from Public

Name: Emma Riordan

Date Submitted: 05/28/2021 04:54 PM

Council File No: 12-0460-S4

Comments for Public Posting: OPPOSE the proposed Processes and Procedures Ordinance. While the Department of City Planning contends that their goal is to consolidate and clarify the current approval process, there are problems with the current language that need to be addressed, and anyone tasked to vote on this ordinance should investigate thoroughly what they are voting for. . In it's current form, the ordinance attempts to usurp POWER and CONTROL and does not allow community input or Neighborhood Council participation. This is a very important level of collaboration Communities, Neighborhood Councils, and District Councilmembers. We support the opposition on record of at least seven Neighborhood Councils. We are OPPOSED to NCs only receiving Hearing Notifications and not receiving Early Notifications..(ENS) This cuts out a whole level of process.. of public engagement and Neighborhood Council review. REMEMBER...WE THE PEOPLE VOTE FOR OUR NC BOARD MEMBERS.. They are also our 'ELECTEDS', we voted for them to do the job of representing our communities and keeping us informed and educated.. fforts to cut them out of the process, is ANTI DEMOCRATIC and ANTI AMERICAN. You are blocking them from doing the jobs they have been ELECTED TO DO. They are ELECTED by WE THE PEOPLE to help keep our communities informed, educated, and on top of things and to serve the communities needs. To ONLY include them in HEARINGS, and take away their ability to keep their communities INFORMED and EDUCATED, by sending out EARLY NOTIFICATIONS, on PROJECTS THAT IMPACT OUR COMMUNITIES! as they do NOW, is chipping away at the important work that they have been elected to do, and encouraging a very NON TRANSPARENT, UNDEMOCRATIC, leaning towards DICTATORIAL way of doing things. This reeks of desires and attempts to keep WE THE PEOPLE, WE, TAX PAYING CITIZENS, UNINFORMED, STUPID, and POWERLESS.. THIS is truly SHAMEFUL, that this ordinance is being considered in Los Angeles, after developer/politico corruption has been exposed NATIONWIDE, numerous FBI arrests and scandals, one would think the city would do all it could to be as TRANSPARENT as possible, engage with and welcome Community and NC input and collaboration, and have as

many CHECKS AND BALANCES AS POSSIBLE IN THE PROCESS. Attempting to turn over control and final decisions to the Planning Director, allowing decisions to come only from him, a person who KNOWS NOTHING about our communities, IS INSANE, UN-DEMOCRATIC and DICTATORIAL. Not to mention no Checks and Balances, and ripe for CORRUPTION. WE THE PEOPLE, WE, TAX PAYING CITIZENS being dismissed, ignored, and SHUT OUT, along with those we vote onto our Neighborhood Councils, to REPRESENT US, wiping out input and review by our NC PLUM committees, who probably have more land use knowledge than the city council, and know our neighborhoods better than the planning director OR city councilmembers, allowing this one person to play DICTATOR and rule how our communities are developed is ridiculous. Read the Neighborhood Council opposition letters in the city file...12-0460-S4. Obviously they know what they're talking about. It is BECAUSE of our neighborhood councils that so many are onto this Ordinance. On going meetings were held, experts, legal advisors, exposing this Ordinance, showing the fine print to NC attendees..who probably know the ordinance better than council members voting on it. Knowledge, Information Sharing.. Exactly what they are hoping, the possibly NOT as informed city council, will vote to SHUT DOWN. BE CAREFUL WHAT YOU VOTE FOR! Just as bad is turning over so much FINAL decision making power to the CPC, a posse of non elected, Mayoral appointees, and family friends, doing the Mayor's bidding, whose decisions are nothing but following HIS instructions, OR ELSE, and IS DICTATORIAL. WE THE PEOPLE DID NOT VOTE FOR MAYOR APPOINTED COMMISSIONERS AND FAMILY FRIENDS TO DECIDE THE FATE OF THE COMMUNITIES WE HAVE INVESTED OUR LIVES IN AND LOVE. AND, FROM CPC HEARINGS WE HAVE ATTENDED THROUGH THE YEARS, IT'S OBVIOUS THEY DO NOT HAVE A CLUE, OR ANY FAMILIARITY WHATSOEVER, WITH THE AREAS WHOSE PROJECTS THEY REVIEW. TO MAKE FINAL DECISIONS ON DEVELOPMENT ISSUES IMPACTING OUR LIVES, WHEN THEY KNOW NOTHING ABOUT OUR AREAS OR COMMUNITIES, IS BEYOND LUDICROUS.. I can hear the Judge's Gavel coming down on that idea! It is truly unbelievable that this Ordinance is being considered in light of, or under the cloud of, the CORRUPTION BUSTERS, the FBI setting up shop in this city. Arrogance or Stupidity? Maybe both. BEWARE! PLUM Committee Members, and City Councilmembers! They want to cut YOU out of the 'Processes and Procedures' too! You better KNOW what you're voting for. OPPOSE Processes and Procedures Ordinance! Emma Riordan Hollywood, Ca.