

Communication from Public

Name: Casey Maddren

Date Submitted: 11/30/2022 09:16 AM

Council File No: 12-0460-S4

Comments for Public Posting: I would like to submit the attached comments on the proposed Processes & Procedures Ordinance. I am against approval of the Ordinance in its current form.

November 30, 2020

Los Angeles City Council
Los Angeles City Hall
200 N. Spring St.
Los Angeles, CA 90012

Re: Zoning Code, Processes & Procedures Ordinance, LAMC Amendment
Council File Number: 12-0460-S4
AGAINST UNLESS AMENDED

Members of the Los Angeles City Council,

I am writing to voice my serious concern about the proposed Processes & Procedures Ordinance. The Ordinance seems designed to remove the project approval process from the reach of the public. It also seems designed to vest greater authority in unelected bureaucrats. Furthermore, the process the City has used to move the Ordinance forward has improperly segregated the Ordinance from the rest of the New Zoning Code, and the text itself has been broken into separate components, making it appear that the City's goal is to thwart the public's efforts to understand the Ordinance's impacts.

My full comments are below. I urge you to reject the Ordinance in its current form. Processes & Procedures needs to be considered and implemented as part of the whole Zoning Code, not using a separate process designed to thwart public engagement.

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

COMMENTS ON THE PROCESSES & PROCEDURES ORDINANCE

Notice for PLUM Meeting Did Not Allow Sufficient Time for Written Comment

Notice from the City Clerk that the item had been scheduled for PLUM was sent on Wednesday, November 23 at 8:00 pm, the day before the Thanksgiving Holiday. The PLUM Committee only receives written comments via the City Clerk's Public Comment Form, an on-line portal, and it takes up to 2 business days for the comments to be posted. Since the notice was posted at night on the day before Thanksgiving, and since the Friday after Thanksgiving is also a city holiday, this means that it was unlikely that written comments would be received and read by PLUM staff before the Committee's meeting on Tuesday, November 29, less than 48 hours after notice was posted. The PLUM Committee generally only allows one minute of verbal comment at the meeting, but given the complexity of the proposed Ordinance, this is not nearly enough time to go into necessary details.

Consideration of Processes & Procedures Ordinance Has Been Improperly Segregated from Zoning Code Update

Consideration of the proposed Ordinance has been improperly segregated from the rest of the proposed New Zoning Code. In order for the public to understand how the two will function together, it is necessary for the public to see the complete Code, with all its components. The

City's decision to segregate Processes & Procedures from the rest of the New Zoning Code seems to be a deliberate act designed to thwart the public's understanding of the Code's impacts.

Chapters and Sections of the Code Were Improperly Segregated

The proposed Ordinance contains numerous references to Sections 13A and 13B, but these sections are not present in the proposed Ordinance and the City gives no indication of how these documents can be located. They are not contained on the City's web page devoted to the New Zoning Code. These sections were contained in a separate document posted to the council file entitled simply Exhibit A. How was the public supposed to have known where to find the language in Sections 13A and 13B, which are repeatedly referenced in the Ordinance? Again, the City appears to have deliberately segregated sections of the Ordinance in order to thwart the public's understanding.

Ordinance Improperly Vests Significant Authority in Unelected Bureaucrat, Undermining Sound Planning

The proposed Ordinance gives the Director of Planning or their designee the power to approve significant adjustments and modifications with regard to height, density, residential floor area, setbacks and open space. This undermines the planning process and thwarts public engagement. In order for the Zoning Code to be effective, it must set well-defined parameters for new development. Giving this power to an unelected bureaucrat also invites corruption. When an individual has the power to grant significant benefits to developers by the stroke of a pen, it invites developers and their lobbyists to seek to sway that individual through financial or other covert compensation. The City's recent history makes clear that this is a serious danger. In the past five years we have seen: one councilmember serve jail time for committing illegal acts; another councilmember facing trial on numerous counts of corruption; the former head of Building & Safety also facing trial for numerous counts of corruption; the former head of LADWP has pled guilty to accepting a sizeable bribe in return for his help; and the former head of civil litigation in the City Attorney's office has filed a guilty plea because he helped to facilitate an extortion scheme. Giving the Director of Planning this additional authority merely invites further abuse.

The fact that the Director's decisions in this area are appealable is meaningless. This puts the burden on citizens to carefully follow project approvals, and to invest time and money in filing an appeal. The public should be able to participate in the project approval process through an open and transparent public process. They should not have to act as police, investing time and money to learn about adjustments granted after the fact and file appeals when there appears to be a problem.

The Inclusion of Alternative Compliance Thwarts Sound Planning

The inclusion of alternative compliance options again allows the Director of Planning to offer developers significant benefits with the stroke of a pen. This undermines sound planning and thwarts meaningful public engagement.