

June 17, 2021

Mayor Eric Garcetti &  
Los Angeles City Councilmembers  
Los Angeles City Hall  
200 N. Spring St.  
Los Angeles, CA 90012

Re: Processes & Procedures Ordinance  
Council File 12-0460-S4  
**Request to Postpone Consideration**

Honorable Mayor Garcetti and Members of the Los Angeles City Council:

We, the undersigned, are writing to express our concerns about the pending approval of the proposed Processes & Procedures Ordinance (Zoning Code/Reorganization of Administration Provisions, CF 12-0460-S4). No one can argue with the fact that it is time to update the City's Zoning Code and to clarify the structure of the Code. However, after having conducted a thorough review of the Ordinance's content and finding that it fails to address important issues, including recognition of Neighborhood Councils, State-mandated General Plan Elements, and the City's own equitable housing study, we urge the City Council to postpone further consideration of the Ordinance.

The Ordinance appears to perpetuate problematic aspects of the City's current Code and at the same time makes significant changes that have the potential to reduce public engagement and thwart transparency. Additionally, we find there is a lack of coordination in efforts to revise the Zoning Code and plan for the City's future. The Processes & Procedures Ordinance is just one chapter of the proposed New Zoning Code (NZC), and yet this chapter is being pushed toward adoption in advance of the rest of the Code in an attempt to radically streamline the approval process. There should be no further streamlining of project approvals when the City has failed to address planning fundamentals that are necessary to ensure the health, safety, and welfare of the people of Los Angeles.

**Key Concerns:**

**1. The Ordinance moves Planning authority away from elected officials, accountable to the public, to unelected bureaucrats.**

Unelected officials will have authority to make decisions regarding project adjustments, alternative compliance, conditional use permits (CUPs), and Historic Preservation Overlay Zones (HPOZs). This shift would reduce public engagement and allow important decisions to be made with no public oversight. Further, the text does not clearly define *adjustment*. There is also no clear definition of the term *alternative compliance*.

The Ordinance is nearing final approval even though LA City Planning (LACP) has failed to follow explicit instructions from the City Council. The Council unanimously approved a motion from Council President Nury Martinez instructing LACP to update the Ordinance with additional criteria for granting entitlements and to include language to ensure the furtherance of the public's interests (CF 20-1045), as well as citing public concern over the approval process for some projects. Martinez stated, "For this reason, it is necessary to provide additional criteria in the Processes and Procedures Ordinance when legislative actions and other entitlements 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."

The need for transparency could not be more obvious, considering the recent City Hall scandals involving former councilmembers, a former General Manager of LADBS, and a former member of the City Planning Commission.

**2. Ordinance further codifies existing policies that promote housing inequality and should not be adopted before the completion of the Housing Element.**

For increased validity, allow the City to continue its current process of updating the Housing Element before adoption of the Ordinance. The language under Sec. 11.5.11.a continues the practice of counting replacement units toward the affordability requirement, which does not contribute to resolving the affordable-housing crisis. While the City claims to have produced over 20,000 new affordable units since 2013, the actual net gain in units available to low-income households is much smaller, since rent-stabilized (RSO) units are often demolished to make way for new projects.

In addition, Sec. 11.5.11.a allows developers the option of building off-site affordable units to fulfill affordability requirements, which perpetuates segregation and promotes housing inequality. On May 21, 2021, LACP and HCIDLA submitted "Report Relative to the Citywide Equitable Distribution of Affordable Housing" (CF 19-0416) to City Council. The report makes clear that affordable housing in LA is mostly concentrated in the City's central areas, and that many communities in high-resource areas have little or no affordable housing available to low-income households. Allowing developers to build affordable units off-site perpetuates this trend.

Nothing in the Ordinance should preclude policy changes that may be included in the updated Housing Element to reverse growing housing inequality.

**3. There has been limited public outreach and no meaningful effort to present the Ordinance to Neighborhood Councils for scrutiny.**

LACP has conducted very limited outreach to Neighborhood Councils (NCs) and the general public. The Ordinance makes significant changes to the approval process. LACP has held three meetings of 1.5 hours each to review a 900-plus page document, not including exhibits.

Further, despite repeated requests, LACP has refused to provide a redline document that shows what changes were made after the last round of feedback.

The Recommendation Report from the City Planning Commission, a document that runs over 1,000 pages, was released just over two months ago. This is not nearly enough time for NCs and Council Office planning deputies to review and comment. Technical corrections were posted on May 25, 2021, and the Ordinance appeared on the PLUM agenda just seven days later, but these “technical corrections” appear to contain substantive changes. The reduction in notifications for appeals from property owners within a 300-foot radius to only abutting property owners is significant. Also, the tables in the technical corrections claiming that something is or is not required by the City Charter (in red) appear to be an effort to recast the requirements of the Charter, which cannot be changed by ordinance or by the LACP.

**4. The Ordinance must explicitly reference Neighborhood Councils, the role they play in public engagement for land-use issues, and codify notification to NCs of new planning applications.**

The Ordinance seems designed to remove NCs 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. Also, it does not mention the Early Notification System (ENS), which allows NCs to get regular updates on submitted applications in the area they serve. The ENS must be codified within the language of the Ordinance.

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. The NCs and the Department of Neighborhood Empowerment are the only entities required by the Charter for land use that are not expressly included as a Section in Division 13A.1. Their exclusion is baffling and, again, seems to be part of a larger strategy to remove NCs from their role as agents of public engagement with regard to land-use decisions.

**5. The time allowed since the publication of the recommendation report and later technical changes has been insufficient for review by Council Offices, Neighborhood Councils, and the general public.**

Further time needs to be allowed for City Council members and their staff to review the documents in their entirety. It is strongly encouraged that the Council obtain outside counsel to review the document rather than rely on the City Attorney’s office, to ensure that no transfer or elimination of land-use authority occurs that would diminish the explicit authority of the Los Angeles City Council to preside over land-use issues in the City.

**6. The City has failed to update elements of the General Plan for decades, despite State requirements.**

The Ordinance will radically streamline project approvals, but the City has failed for decades to complete the fundamental work of updating a number of General Plan Elements, which include: Air Quality (1992); Conservation (2001); Safety (1996); Infrastructure (1968-1972);

Open Space (1973); Public Facilities & Services (1969); and Noise (1999). In addition, the City has failed to comply with the General Plan's monitoring requirements.

It is clear to Los Angeles residents that the City's speculative growth and development is causing increased inequality, depleting precious resources, and causing unacceptable strains on public services and infrastructure. Yet, in spite of these grave problems, the City's leadership is pushing forward with an Ordinance designed to accelerate project approvals. We believe this demonstrates that the priorities of the Mayor, the City Council, and LACP bear no relationship to what the City of Los Angeles actually needs. Our elected officials and City agencies need to shift their focus from streamlining project approvals to addressing planning fundamentals.

For the reasons given above, it is essential for Council to postpone consideration of the Processes & Procedures Ordinance. Council Offices, NCs, and the general public must have more time to study and comment on this complex document. Furthermore, the City's piecemeal approach to the adoption of the NZC, along with its failure to first address fundamental planning issues through the Elements of the General Plan, has created a chaotic process that threatens the health, safety, and welfare of the residents of Los Angeles.

Sincerely,

Organizations:

*Franklin Corridor Communities*

*Hillside Federation \**



*La Brea Willoughby Coalition*

*Los Feliz Improvement Association*



*Responsible Urban Development Initiative*



*Sunset Square Neighborhood Organization*



*United Neighborhoods for Los Angeles*



*Westside Village Homeowners Association*

Individuals:

*Connie Acosta, Board Member, Echo Park NC*

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*Garm Beall, Woodland Hills*

*Sylvia Bedrossian, Woodland Hills*

*Naomi Benghiat, Woodland Hills*

*Ron Bitzer, North Hollywood*

*Barbara Broide*

*Carol Cetrone, President, The Silver Lake Heritage Trust \*\**

*Peter Colley, Woodland Hills*

*Ellen Colley, Woodland Hills*

*Kathryn Cornelison, Canoga Park*

*Marian Dodge, Los Feliz*

*Brian Dyer, Hollywood*

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*Mark Fergus, Topanga*

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*Allen Franz, San Pedro*

*Annie Gagen, Hollywood*

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*Debra Matlock, Los Feliz*  
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*Jeff McDonough, Hollywood*  
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*Diana Nave, Chair, Planning & Land Use Committee - Northwest San Pedro NC \*\**  
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*Sam Evans, Woodland Hills*  
*Laura Thorne, Woodland Hills*  
*Angela Robinson, Los Feliz*  
*Joel Rochlin, Los Feliz*  
*Lucille Saunders, President, La Brea Willoughby Coalition*  
*Donald Seligman, Los Feliz*  
*Stacy Shure, Co-President, Westside Village HOA*  
*Dan Silver MD, Downtown*  
*Cherilyn Smith, Hollywood*  
*Karen Stetler*  
*Carrie Sutkin PhD, Alliance of River Communities and Elysian Valley Riverside NC*  
*Gina Thornburg PhD, Executive Director, Coalition for Valley Neighborhoods*  
*Paul Thorne, Woodland Hills*  
*Brenda Valdivia, Echo Park*  
*Azul Weldon, Woodland Hills*  
*Tony Wilkinson, Panorama City*  
*Tom Williams, President, Citizens Coalition for a Safe Community/Director-Elect LA-32 NC \*\**  
*Susan Winsberg, President, Franklin Corridor Communities, Hollywood*

\* *The Hillside Federation represents 44 homeowners associations spanning the Santa Monica Mountains.*

*\*\* Position and/or group included to indicate affiliation.*

cc:

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