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August 26, 2016

Honorable Members of the City Council
City Hall, Room 395
200 N Spring Street
Los Angeles, CA 90012

RE: Report-Back on CF 16-0422 Department of City Planning Report on System for Updating Community Plans, Batching General Plan Amendments, EIR Consultants, and Technology Plans

On May 31, 2016 the Department of City Planning, in cooperation with the Offices of the Chief Legislative Analyst (CLA), City Administrative Officer (CAO), and the City Attorney, submitted a report in response to a City Council Motion (CF 16-0422) that addressed four topics outlined below:

1. **System for Updating Community Plans:** The process for the systematic update of Community Plan and General Plan elements, including a criteria and methodology for determining a schedule for updates;
2. **Batching General Plan Amendments:** Analysis of the feasibility of batching General Plan Amendments (GPAs) to allow for the Department of City Planning, City Planning Commission or City Council to consider GPAs as a group to assess the total impacts to the City's built environment;
3. **EIR Consultants:** Analysis of the resources and fiscal impacts of procedural options requiring that consultants that assist in the preparation of Environmental Impact Reports (EIRs) be pre-qualified and/or selected by the City and/or be hired directly by the City at the expense of the applicant;
4. **Technology Plans:** A status update of the ongoing technology plans, projects, timelines, and sources of funding with respect to rebuilding the technology infrastructure for the Department of City Planning in furthering the goal of an open and transparent government.

By way of summary, the Department's report set forth a system for updating all of the City's Community Plans within a 10-year time-frame; a system for geographically batching applications for General Plan Amendment, a range of four options related to EIR consultancy, and an overview of the City's pending "BuildLA" technology plan. At the conclusion of the Department's report to the PLUM Committee, the Committee requested a report back on the following:

1. Work with City Attorney's office to report back further on how the recommended changes can be codified through ordinance or charter amendments.
2. Work with the CAO to report back on what additional resources would be required in order to accelerate the recommended update framework to 6 years, from 10 years.
3. Further define the implementation procedures for batching general plan amendments.

4. Prepare the administrative materials necessary to implement the EIR processing procedures as recommended under "Option 2".

I. Charter & Code Amendments

The Department of City Planning has already initiated first steps to implement its Community Plan strategy, as delineated in the Department's May, 2016 report; program funding has been allocated, and hiring and consultant procurement are underway. The May, 2016 report set forth a system for comprehensively updating both the General Plan and all of the City's 35 Community Plans within a 10-year timeframe. The Department committed to a strategy that divides the City into three planning regions wherein grouped Community Plans are updated semi-concurrently within each region. Staff are in the process of culling and analyzing data across all Community Plans as part of its process to determine program phasing.

Simultaneous to launching its expanded Community Plan program, the Department is also engaged in a comprehensive update to its General Plan. This multi-year effort, entitled Our LA 2040 will modernize the City's long-range growth strategy, and refresh its many State-mandated elements addressing topics such as public safety, open space, noise, etc. (the Housing, Mobility, and Health and Wellness elements are excluded, having been updated within the last two years). The General Plan update effort will also modernize the City's "CEQA Thresholds," the guide by which environmental analysis for both policy and development projects is undertaken, pursuant to State law. This multi-year effort is expected to conclude with City Council action in 2020.

During the May, 2016 PLUM meeting, the Committee noted that the Community Plan and General Plan programs rely upon the continued availability of General Fund resources over the life of the program (in addition to some dedicated special fund sources from development fees), and requested language that could be codified (or alternately, added to the City's Charter) that would mandate the periodic review and update of the City's General Plan, and would mandate the availability of funds for ongoing City-initiated updates to the General Plan and Community Plans. Similar language was added to the Charter and Administrative Code in 2011 with respect to the City's Libraries (Charter Section 531, March 8, 2011). Any Charter amendment, should the Council choose to pursue it, would require voter approval. In the event that the Council would like to include a measure to amend the Charter on the March, 2017 ballot, instructions must be given to the City Attorney to draft the ballot title and resolution no later than November 2, 2016.

Preliminary draft language for a possible Charter Amendment is shown below. This language would provide for an immediate roll-out of a funding mandate to ensure a minimum of \$8 million in annual funding, and captures the essential fundamentals of the Department's General Plan and Community Plan program: namely that the Community Plans are systematically updated in three planning regions, and that all of the Community Plans are updated during a 12-year cycle (the 10-year cycle currently underway benefits from recently adopted as well as near-complete Community Plans, and is thus two years shorter). It also mandates that the City's General Plan will be reviewed at minimum every 15 years, though some individual elements of the General Plan, such as the Housing Element will likely be updated more frequently, per State law.

Charter Sec. 567. Financial Support.

(a) For the financial support of the Department of City Planning's ongoing updates to the City's General Plan and its Community Plans, there shall be appropriated an annual sum equal to a percentage of assessed value of all property in the City as assessed for City taxes, as follows:

Fiscal Years 2017-2018 and thereafter: 0.00448%

Financial support of the Department of City Planning's ongoing updates to the City's General Plan and its Community Plans shall be to ensure that the General Plan is

comprehensively reviewed at a minimum of once every 15 years, and that each of the City's 35 Community Plans have been reviewed a minimum of once every 12 years.

Furthermore, additional appropriations could be identified for related long-range planning activity such as zone changes, zoning overlays, and other zoning amendments that implement the Community Plan and General Plan policies.

This Charter amendment language has been prepared at the request of the PLUM Committee; there is no Department recommendation to adopt such an amendment. In the event that the City wishes to further accelerate the Community Plan program (per Section II below), the percentage of assessed value of all property (shown above) would need to be adjusted to 0.007%.

II. Accelerating the Community Plan Timeline

The Department's May, 2016 report set forth a proposal that would allocate the Department's budgeted resources to comprehensively update all of the City's 35 Community Plans within a 10-year timeframe. The report envisioned the formation of three planning regions (Valley, Central/East, and South/West/Harbor), and the concurrent update of groupings of Community Plans within each region.

The PLUM Committee has requested an understanding of what resources would be required in order to accelerate the program from ten years to six years. Such an acceleration of the program would require the formation of two additional staff teams, nearly doubling the capacity of the Community Plan program, as budgeted for FY 16/17.

A breakdown of the costs of the currently approved budget program, as well as a breakdown of the costs that would be associated with an expanded program are provided by the CAO in *Attachment 1* to this report. The CAO shows that an acceleration of the proposed Community Plan timeline from 10 years to six, would increase the annual program cost by \$3.5 million, boosting the annual cost from roughly \$7.5 million to \$11 million. The CAO also recommends increasing the long range planning fund development surcharge from 5% to 7% to ensure funding for both the currently budgeted program, as well as any possible accelerated expansion. Lastly, the CAO recommends approving and funding various positions within the Department of Transportation and the Office of the City Attorney that support the Community Plan program.

The six-year scenario described above is predicated on an immediate ramp-up of multiple contiguous Community Planning teams throughout the City. In the event that the City wishes to pursue a more accelerated schedule, a more graduated ramping up of new Community Planning efforts leading to a 7-year cycle would be more feasible. Recognizing the administrative challenges to ramping up work, the Department would recommend a seven-year cycle target, in lieu of a six-year cycle.

In addition to the staff teams funded by the budget program, resources were also provided for consultant services. Consultant teams will play critical roles in performing technical analysis such as traffic studies, drafting environmental impact reports, and assisting with communications and outreach needs. The overall complement of staff and consultant funding is essential to delivering complete Community Plans within the timeframe envisioned by this program.

III. Procedures for Batching General Plan Amendments

Currently, the administrative procedures for General Plan Amendment applications are set forth in a Department of City Planning memorandum issued by the Director of Planning on May 9, 2016. The memo clarifies that all General Plan Amendments may only be initiated by the City Council, the City Planning Commission, or the Director of Planning, and it sets forth instructions as to how a potential applicant may request consideration of a possible General Plan Amendment by the Director of Planning.

In order to effectuate the desired batching proposal discussed in the May, 2016 Report, an amendment to the Department's May 9, 2016 memo would set forth a schedule for batching of General Plan Amendments at the time of application submittal, so that there are two distinct, two-month periods in which a General Plan Amendment application may be initiated for each of the specified geographies each

year (i.e. “batching windows”). The memo would also need to set forth parameters wherein a potential General Plan Amendment application might be taken in outside of the specified batching windows, such as in instances where the General Plan needs to be amended to correct an erroneous land use designation or items of a technical nature, or where the batching windows will delay the application for institutional, civic, or public works projects (such as hospitals, academic institutions, park facilities, utilities or infrastructure projects) or for homeless services facilities and 100% affordable housing projects. Draft language to insert into the proposed memo amendment is shown below:

The Director of Planning will only initiate General Plan Amendments that pertain to any of its 35 Community Plans according to the schedule set forth below:

Valley	January & February	July & August
Central/East	March & April	September & October
South/West/Harbor	May & June	November & December

The Director of Planning may elect to initiate General Plan Amendments outside of the above schedule when it is necessary to correct an erroneous land use designation, to execute a funded public works project (i.e. street improvements, infrastructure and utilities, parks, and academic institutions), a hospital facility, or when a timely initiation is required for homeless service facilities or for 100% affordable housing projects.

IV. EIR Consultants

The May, 2016 PLUM Report recommended that the Department’s administrative procedures related to the preparation of Environmental Impact Reports (EIRs) be amended consistent with “Option 2” of that memo, wherein individual applicants would be required to select and hire from a City list of CEQA consultants that are pre-qualified by the City. In this scenario, the City retains the right to remove consultants from the prequalified list for not meeting criteria or performance.

The Department’s May, 2016 report indicated that additional scenarios (“Option 3”) in which the Department selects the environmental consultant were immediately feasible as well.

In order to effectuate this amendment to the Department’s administrative procedures, a Department of City Planning memorandum would be issued by the Director of Planning, setting forth the requirements for applicants for projects where an environmental impact report, or other CEQA-related documentation are to be prepared and submitted to the Department. A draft memo to this effect has been prepared and is included as *Attachment 2* to this report.

Sincerely,



Vincent P. Bertoni, AICP
 Director of Planning

- cc CAO, Miguel A. Santana
- CLA, Sharon Tso
- ITA, Ted Ross

Attachment 1, CAO Analysis of Compressed Timeline, August 26, 2016

10-Year Cycle

An annual appropriation of \$7.49 million (\$5.66 million direct and \$1.83 million indirect) will be required to fund 47 staff (38 in City Planning, four in Transportation, and five in the City Attorney) to update the Community Plans on a ten-year cycle, as currently envisioned. A fee study to increase the General Plan Maintenance Fee from 5% to 7% to create additional special fund revenue to pay for a majority of the new \$5.5 million in costs was conducted by the CAO. The CAO has recommended increasing the General Plan Maintenance Fee from 5% to 7% to offset a portion of the expanded programs costs.

The new, and currently funded program quadruples the number of staff associated with the Community Planning Program and will enable the City to update the City's 35 Community Plans on a ten-year cycle. The FY16-17 Adopted Budget added the 28 additional staff in DCP; however, the five additional staff in City Attorney, and three additional staff in Transportation were not added. Therefore, the CAO recommends approving the five additional staff in City Attorney, and three additional staff in Transportation at this time. Assuming the increased surcharge is approved and upon the completion of re:codeLA during Fiscal Year 2017-18, it is anticipated that \$4.85 million in General Plan Maintenance Fee revenue (Long Range Planning Fund – Fund No. 52D) will be available to support the expanded program on an on-going basis.

6-Year Cycle

An annual appropriation of \$11.33 million (\$8.32 million direct and \$3.01 million indirect) would be required to fund 78 staff (62 in City Planning, seven in Transportation, and nine in the City Attorney) to update the Community Plans on a six-year cycle.

RECOMMENDATIONS

- 1) Request the City Attorney, with assistance of the CAO, to draft an ordinance to increase the General Plan Maintenance Fee from 5% to 7% from the effective date of the ordinance;
- 2) Authorize by resolution the following three positions within the Department of Transportation to support the expanded Community Planning Program, subject to position allocation by the Personnel Department and paygrade determination by the City Administrative Officer:

No.	Class Code	Class Title
1	7280-3	Transportation Eng Assoc. III
2	2480-2	Transportation Planning Assoc. II

- 3) Authorize by resolution the following four positions within the Office of the City Attorney to support the expanded Community Planning Program, subject to position allocation by the Personnel Department and paygrade determination by the City Administrative Officer:

No.	Class Code	Class Title
2	0552-A	Deputy City Attorney III
1	0577-0	Paralegal II
1	1368-0	Senior Administrative Clerk

Attachment 1, CAO Analysis of Compressed Timeline, August 26, 2016

Department: City Planning
Program Name: Community Planning - Existing plus New -6-Year Cycle

Positions:		Class Code	Reg. Sworn, Reso, As-Needed, or Hiring Hall	Wages & Count Salary	Salary Savings Rate (%)	Number of Months Funding Requested	Net Salary
Quantity	Class Title						
1	Principal City Planner	7947-0	Civ-Reso	\$ 158,250	5.0%	12	\$ 150,338
5	Senior City Planner	7947-0	Civ-Reso	\$ 132,382	5.0%	12	\$ 628,815
15	City Planner	7944-0	Civ-Reso	\$ 112,267	5.0%	12	\$ 1,599,805
15	City Planning Associate	7941-0	Civ-Reso	\$ 90,156	5.0%	12	\$ 1,284,723
15	Planning Assistant	7939-0	Civ-Reso	\$ 62,727	5.0%	12	\$ 893,860
1	Public Info Director I	1800-1	Civ-Reso	\$ 121,020	5.0%	12	\$ 114,969
6	Geog Info Specialist	7213-0	Civ-Reso	\$ 74,456	5.0%	12	\$ 424,399
2	Senior Administrative Clerk	1368-0	Civ-Reso	\$ 52,797	5.0%	12	\$ 100,314
2	Oper & Stat Res Analyst	1779-1	Civ-Reso	\$ 82,205	5.0%	12	\$ 156,190
2	Transportation Eng Assoc. III	7280-3	Civ-Reso	\$ 87,717	5.0%	12	\$ 166,662
5	Transportation Planning Assoc. II	2480-2	Civ-Reso	\$ 89,346	5.0%	12	\$ 424,894
5	Deputy City Attorney III	552-A	Civ-Reso	\$ 129,957	5.0%	12	\$ 617,296
2	Paralegal II	577-0	Civ-Reso	\$ 85,378	5.0%	12	\$ 162,219
2	Senior Administrative Clerk	1368-0	Civ-Reso	\$ 52,797	5.0%	12	\$ 100,314
78	TOTALS						

Salaries General:	\$ 6,824,296
Contractual Services:	\$ 2,500,000
Pension/Health (Add/Delete Rate):	\$ 3,006,415
TOTAL:	\$ 12,330,711

Attachment 2 , DRAFT EIR Consultants Draft Memo “Option 2,” August 26, 2016

This advisory is for projects that have received a consultation with Department of City Planning staff where it was determined that an Environmental Impact Report (EIR) is required. Such evaluation is mandated by the California Environmental Quality Act (CEQA) when the project involves a discretionary action and when there is a potentially significant environmental impact the proposed project may cause. The purpose of the environmental review is to:

- Inform the decision-makers and the public of the potential environmental effects of the proposed and activities.
- Identify the ways that significant environmental impacts can be avoided or significantly reduced.
- Prevent environmental degradation resulting from land developments by requiring changes in projects through the use of alternatives and/or mitigation measures.
- Disclose to the public the reasons why the City approved the project in the manner chosen if significant environmental effects remain.

The goal of these procedures is to assure the quality and objectivity of the EIR being produced.

A master list of qualified environmental consultants will be maintained by Department of City Planning and is available at the Development Services Center Counters at Figueroa Plaza and Van Nuys, the Major Projects Section in Room 750 of City Hall, and on the Department’s website at <http://planning.lacity.org> by clicking on the Environmental Review tab. Companies on the list have been evaluated by the Department as meeting core competencies in the environmental field, having knowledge and staff expertise of legal requirements for CEQA documents and technical competency for evaluating environmental impacts.

The proponent/applicant for the proposed project must enter into a contract with one of the consultants on the master list to prepare the EIR and notify the Department of City Planning, in writing, of the selection. The proponent/applicant is responsible for paying the consultant for their services. The environmental consultant prepares the EIR for the City under the direction of the Department of City Planning. The environmental consultant will be responsible for all document reproduction, filing and mailing expenses and the generation of the 500 foot owners and occupants mailing list and map.

The environmental consultant will be responsible for the following documents and tasks:

Initial Study, Notice of Preparation (NOP) and Scoping Meeting

The consultant will prepare the Initial Study (IS) evaluating what topics are required to be analyzed in the Draft EIR. Upon review and approval of the IS by the Department, the consultant will prepare the NOP and after Department of City Planning review and approval will release the NOP to interested parties and owners and occupants within 500 feet of the project site. Copies of the IS and NOP are sent to Agencies by direct mail and through the State Clearinghouse. The NOP must also be filed with the Los Angeles County Clerk. The release of the NOP starts the 30 day comment period. If a scoping meeting is held, the consultant will be responsible for attendance, including the attendance of any subcontractors, and will be required to secure a meeting facility that complies with City requirements and provide all necessary equipment (display boards, sign-in sheets, comment forms, directional signage, etc.) for use during the meeting. All costs associated with the scoping meeting are at the expense of the proponent/applicant. This is a City sponsored meeting and Department of City Planning staff will be in attendance to facilitate the meeting and direct the consultant staff.

Draft EIR (DEIR)

The consultant will evaluate all comments received during the NOP comment period and discuss with Department of City Planning staff the final scope and content of the EIR. Upon agreement from the Department, the consultant conducts and/or coordinates investigations and studies and prepares the necessary analysis according to established methods, models and protocols approved by the Department of City Planning. The overall organization of the DEIR shall be prepared in accordance with the CEQA Guidelines and follow the format specified by the Department.

Department staff will review administrative drafts of the DEIR prepared by the consultant and provide comments and edits. After the Department of City Planning approves the release of the DEIR, the consultant is directed to produce the 500 foot owners and occupants mailing list and may reproduce copies of the DEIR for distribution. The Department of City Planning will publish the Notice of Availability (NOA) in the Los Angeles Times. Publication costs will be billed to the proponent/applicant.

The consultant will mail copies of the NOA to the Owners and Occupants, Agencies and Interested Parties Lists approved by the Department of City Planning. Copies of the DEIR and a Notice of Completion will be provided to the State Clearinghouse for distribution to State agencies, the Libraries and the Administrative file. The release of the NOA and filing with the Los Angeles County Clerk starts the 45 day comment period.

Final EIR (FEIR)

The consultant will evaluate all DEIR comments and prepare responses to the comments received in a format approved by the Department of City Planning. The consultant will notify Department staff of any comments that raise issues that the analysis in the DEIR requires re-evaluation prior to starting any new analyses. Should recirculation of the DEIR be required, the consultant will follow the steps for the development and release of the Recirculated DEIR noted above under "Draft EIR (DEIR)". The Department of City Planning will review administrative drafts of the FEIR prepared by the consultant and provide comments and edits. After release of the FEIR is approved, the consultant is directed to produce the 500 foot owners and occupants mailing list and may reproduce copies of the FEIR for distribution. The consultant will mail copies of the Notice of Completion (NOC) of a Final EIR to the Owners and Occupants, Agencies and Interested Parties Lists. Copies of the NOC and FEIR will be provided to all persons or entities that submitted a comment, the State Clearinghouse for distribution to State agencies, the Libraries and the Administrative file.

Questions regarding this process may be directed to Major Projects staff at (213) 978-1332.

DRAFT MEMO, FOR DISCUSSION PURPOSES ONLY