

Communication from Public

Name: Kathy Vu

Date Submitted: 11/18/2020 02:48 PM

Council File No: 20-1044

Comments for Public Posting: High value projects SHOULD go through smaller committees first. These systems and meetings are in place for a reason. Expediting high value projects straight to the City Council will not only result in less attention to detail, City Council meetings may not have the valuable opinions of Committee members or the public. Furthermore, without having proper hearings and public opinion being weighed in, the city has no one to check it when it comes to high value projects. City Council should work WITH the public, not by itself to make these decisions.

Communication from Public

Name: Miki Jackson

Date Submitted: 11/18/2020 01:32 PM

Council File No: 20-1044

Comments for Public Posting: Vote no on Item 4 — relative to developing criteria for high value projects and amend the planning process so these projects are diverted from the Planning and land Use Management Committee and go directly to the City Council. This will: • result in less scrutiny for the enormous projects that need it the most. • create a 2 tier standard for projects that will inevitably be at least somewhat arbitrary • cut the public off from another venue to track and give input on projects. • further the kind of evasive and backroom culture of handling projects that has resulted in the FBI investigations that have led to one councilman being incarcerated an other to be going on trial fro corruption. The investigation is ongoing. The whole PLUM interaction process with City Council badly needs reform. • by law the projects that meet the standard must have a public hearing before DECISION MAKERS. • PLUM cannot make the decisions, only recommendations - ergo PLUM cannot satisfy the legal requirements for a full hearing - City Council has ignored this legal requirement and illegally stated that PLUM constitutes the required hearing. - When City Council - who, as a body, are the DECISION MAKERS, subsequently denies the public right to comment on items that have come before PLUM on the false basis, printed on the Council agenda, “Items for which Public Hearings Have Been Held” the Council its denying the public it’s right to a legal process. The projects/items have NOT been heard by the DECISION MAKERS, therefore a hearing which satisfies the legal requirements has not been held. What must happen is for the item to come before PLUM to give the public an opportunity to scrutinize and comment on the item and to prevent a dangerous “2 tier of favoritism process”. The item must then go to full City Council for the required full hearing, including public comment. A 2 tiered process is a dangerous and slippery road to violating the rights of the developers/applicants of a project. This repeated pattern and process has resulted in a multitude of projects for which the legal hearing process has not been followed, thus these projects are endangered by the illegal actions of the Council. This is an unacceptable risk to the City and the taxpayers, perpetrating yet more of the lax attitude and actions of the Council towards legal requirements. The whole concept of this is flawed in terms of constitutionality. It proposes toggle more hearing rights to

some developers over others. It is notable that 3 Neighborhood Councils are against it and one is against it unless amended. This process seems to have been put together as a kind Frankenstein manner to avoid accountability. We hereby adopt all objections to this item.

Communication from Public

Name: Jessica Lall
Date Submitted: 11/18/2020 04:41 PM
Council File No: 20-1044
Comments for Public Posting: Please see attached letter.



November 18, 2020

Councilmember Marqueece Harris-Dawson
Chair, Planning and Land Use Management Committee
200 N Spring Street
Los Angeles, CA 90012

Re: Planning and Land Use Reform (CF 20-1042, CF 20-1044, CF 20-1045)

Dear Councilmember Harris-Dawson,

Established in 1924, Central City Association (CCA) is committed to advancing policies and projects that enhance Downtown Los Angeles' vibrancy and increase investment in the region. We are a membership organization representing approximately 300 members that have played a leading role in transforming Downtown Los Angeles by building over 17,000 units of new housing, and more than 6.6 million square feet of office and retail space and 3,600 hotel rooms that have resulted in hundreds of thousands of jobs and tax revenue dollars to the City. **Our members are deeply familiar with the City's planning and land use processes, and we believe these systems need reform to reduce subjectivity and political influence in the decision-making process, create certainty for communities and expeditiously deliver desperately-needed housing in alignment with the motions introduced by City Council President Nury Martinez.**

We have long advocated for more upfront, clear and objective standards in the development approval process and less discretionary review, which is fundamental to rooting out corruption and ensuring that no elected officials are presented with opportunities to abuse power. Reducing discretion in development approvals is also critical to achieving other City objectives, including streamlining the production of new housing amid our housing crisis and making it easier to build which supports job creation and our tax base amid our current economic and fiscal crises. We offer the following comments on three planning and land use reform motions regarding 1) the creation of a ballot measure to revise the City's Zoning Code; 2) developing a new approval process for "high value projects"; and 3) revising the Processes and Procedures Ordinance.

Updating the City's Zoning Code by Ballot Initiative

The best way of reducing the need for project-by-project approvals is by having planning and zoning codes that are up to date and reflect the city's vision for growth and contemporary real estate trends. The Mayor recognized this by issuing [Executive Directive No. 19](#) in March 2017, which directed all 35 Community Plans and all elements of the General Plan to be updated within six years. Regularly updating these plans is key to creating predictable pathways for by-right or ministerially-approved developments so that they don't require discretionary approvals like General Plan Amendments or Zone Changes, which trigger the lengthy and risky political approval process with City Planning Commission and City Council review. Our outdated codes usually require projects to go through the discretionary review process since existing plans largely do not yield financially feasible projects that reflect the kinds of buildings that people want to live or work in today. Moreover, having a contemporary areawide vision that is built on public input eliminates the need for each project to be scrutinized so long as they conform to the established plan that has already been thoroughly vetted.

However, updating every Community Plan and the General Plan takes considerable time and resources, even in better fiscal circumstances than we currently face. For instance, we have been engaged on the DTLA 2040 Community Plan Update since it was initiated in 2014. It will likely be another year before the new plan is adopted, which means it will have taken about seven years to complete a plan update in the area of the city most welcoming of growth and change. The time it takes is no fault of the City Planning Department – these plans are complex,

must balance the input and interests of myriad stakeholders and undergo extensive review per the California Environmental Quality Act (CEQA). Opportunities to reduce discretionary review in the meantime would also allow City Planning to more nimbly shift resources from case processing, called “current planning,” to Community Plan and General Plan efforts, “long-term planning,” which would have the benefit of speeding up their updates and create a virtuous cycle that helps shift away from outdated plans and ad hoc project review and approval.

We know that the City can enact strategic policies in the near-term to reduce discretionary review by legislation or ballot initiative while these long-term plans continue. The Affordable Housing Density Bonus, Transit Oriented Communities Program, Adaptive Reuse Ordinance, Small Lot Subdivision Ordinance and Assembly Bill 1197 are all great examples of citywide planning policies that were created outside of the Community Plan and General Plan update process that have enabled by-right and ministerial development and have been key housing production tools. **Based on the experience of our members with City planning and land use processes, we offer the following suggestions for focusing planning and land use reform efforts that could be implemented via legislation or a ballot initiative:**

- **Increase Site Plan Review thresholds or eliminate Site Plan Review for any projects that meet allowable zoning**
- **Lower minimum parking requirements and provide greater flexibility for transitional height requirements on commercial corridors**
- **Eliminate Q conditions citywide and revert to a site’s baseline zoning**
- **Allow all “P” zones to be developed using the zoning designations of closest surrounding parcels**
- **Base open space requirements on building square footage, not number of units or bedrooms**
- **Allow by-right adaptive reuse for buildings constructed after 1974 citywide, including requiring no new parking**
- **Allow quadplexes by-right in any single-family zoned areas**
- **Eliminate density limitations (dwelling units per acre) and instead use floor area ratio (FAR) to govern building size**
- **Broaden ground-floor retail requirements to include “active uses,” such as lobbies or recreation rooms**
- **Expand administrative review processes for Conditional Use Permits, like the proposed Restaurant Beverage Program**
- **Amend the outdated Fire District 1 to allow Type IV construction, which will enable mid-rise mass timber development**

This set of policy suggestions would reduce the need for projects to seek discretionary review, help to diminish political influence in approval processes and provide pathways for new housing to be built more efficiently, predictably and sustainably. **We also believe that the idea to create an independent commission that would make a comprehensive set of recommendations for reform and be put to an up or down vote by City Council, raised in a [recent Los Angeles Times Op-Ed authored by former City officials](#), is worth considering.**

Process for Approving “High-Value Projects”

This motion directs City Planning and the Chief Legislative Analyst to develop criteria for “high-value” development projects to pass over the Planning and Land Use Management (PLUM) Committee during the approval process. **We do not think this would have a material impact as all City Councilmembers already currently review and vote on any projects subject to discretionary review, and the decisions are finalized by the City Attorney and Mayor. Instead, we recommend that there be clear timelines by which all discretionary projects must be heard**



by the PLUM Committee and City Council, and that no single elected official be able to determine when a project is scheduled for public hearing.

Updating the Processes & Procedures Ordinance

This motion directs the City Planning Department and the Chief Legislative Analyst to update the Processes and Procedures Ordinance with additional criteria on when entitlements will be granted to more clearly establish if they are in the public interest or established policies and to create protocols that will increase transparency for communication between developers and council offices. We support the intent of this motion to reduce political influence and create clear protocols, but believe this would benefit from further clarification and discussion. **We ask you and the Committee members to request a report back from City Planning and the Chief Legislative Analyst with options for strengthening the Processes & Procedures Ordinance in line with the motion's goals.** We continue to track City Planning's proposed updates to the Processes & Procedures Ordinance very closely and look forward to providing additional input on the Ordinance upon a report back from City departments.

We are committed partners in the effort to reform our planning and land use system, and we know there are meaningful changes the City can make that will provide more certainty and confidence in our approval system, while also addressing our pressing housing, economic and fiscal crises. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Lall".

Jessica Lall
President & CEO,
Central City Association of Los Angeles

cc: City Council President Nury Martinez
Councilmember Bob Blumenfield
Councilmember Gil Cedillo
Councilmember Curren Price
Councilmember John Lee