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**OPPOSITON TO CF-12-0460-S4**

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busdisora@aol.com <busdisora@aol.com>

Nov 13, 2018 12:03 AM

Posted in group: **Clerk-PLUM-Committee**

**1. THIS ORDINANCE IMPERMISSIBLY SHIFTS POWER FROM COUNCIL, NEIGHBORHOOD COUNCILS AND NEIGHBORS TO THE DIRECTOR OF PLANNING.**

The Ordinance represents a tsunamic shift in powers and duties away from Council, the electorate, neighborhood councils, and residents to the Director of Planning.

The Ordinance **makes the Director of Planning a virtual Czar over projects, authorizing the Director to spot zone and greenlight** numerous projects that do not provide affordable housing but that may nevertheless receive incentives or bonuses (a few specific examples in point 3), including by allowing the Director to be the "interpreter" of Specific Plan provisions and Zoning Code provisions for the City.

The Director of Planning is given "specific authority" over 30 categories of decisions, most of which (including an HPOZ Certificate of Appropriateness for alterations or additions and an HPOZ Certificate of Compatibility) are only appealable to an Area Planning Commission or not appealable at all, eliminating appeals to Council and not expressly preserving Council's plenary overall legislative authority.

The Director has been given the right to waive otherwise required public hearings even for Projects that have not bothered to appear before or work with neighborhood councils or residents (upon the signature of abutting and adjacent neighbors). **THAT CUTS OUT NEIGHBORHOOD COUNCILS, ACROSS THE STREET NEIGHBORS AND RESIDENTS WITHIN 500 FEET** (or such greater area as necessary to reach at least 20 residents).

**The notice has been reduced for most matters from 24 to 21 days, from 500 feet or more to just next door and rear neighbors, and the Neighborhood Council early warning system and notice required by the Charter and the after the fact notice required under the current Code are NOWHERE TO BE FOUND.**

The Ordinance **BLATANTLY and CLEARLY CONTRADICTS THE STAFF REPORT AND THE PUBLIC PRESENTATIONS BY PLANNING.**

**2. AS ITS NEWLY MINTED TITLE MAKES CLEAR THIS IS AN AMENDMENT OF THE ZONING CODE, THE MUNICIPAL CODE AND THE ADMINISTRATIVE CODE THAT ALTERS THE DEVELOPMENT PROCESS, SEVERELY RESTRICTS THE ABILITY OF STAKEHOLDERS TO PARTICIPATE IN THAT PROCESS AND ELIMINATES THE NOTICE, NEIGHBORHOOD COUNCIL PARTICIPATION AND OTHER PROTECTIONS HAVE TODAY AGAINST INAPPROPRIATE LAND USES.**

This Proposed Ordinance amends the Los Angeles Administrative Code and the Los Angeles Municipal Code (in addition to purporting to amend the Charter). The goal to update and modernize the City's Codes may be laudable, the update may be long overdue and even some of the substantive changes may be appropriate but what Planning has done is hide the ball all the way, inaccurately described what this Ordinance is doing and why and tried to cut off meaningful review and meaningful citizen participation at every turn.

Characterizing this particular ordinance as "no big deal, nothing to see here, just putting the stuff all over the Code in one place for your benefit" is clearly inaccurate and deceptive. When Planning has meant to just affect process, Planning said so unequivocally. For example, <https://planning.lacity.org/eir/CenturyCityCenter/FEIR/files/Appendix%20O%20->

[%20Multiple%20Approvals%20Ord%20\(CPC-2010-1495-CA\).pdf](#) signed by, among others, Thomas Rothmann in 2010 unequivocally states:

*"The proposed changes will **not substantively alter** the review processes for development projects. The proposed ordinance will **not lessen the ability of stakeholders to participate in the public process nor eliminate any criteria that protects the citizenry from inappropriate land uses.**"*

**WHERE IS THAT LANGUAGE HERE?** It is not and there could not be such a statement in the Staff Report for this Proposed Ordinance because it would clearly be a lie. The changes proposed here WOULD substantively and materially alter the review processes for development projects, WOULD lessen the ability of stakeholders to participate in the public process and WOULD eliminate criteria that protects the citizenry from inappropriate land uses.

**3. THIS ORDINANCE PROVIDES DEVELOPERS WITH ACCESS TO UPZONING, DENSITY BONUSES AND INCENTIVES WITHOUT PROVIDING A SINGLE UNIT OF AFFORDABLE HOUSING. EVEN WORSE, THIS ORDINANCE PERMITS STACKING OF BONUSES AND INCENTIVES UNDER DIFFERENT LAWS WHICH IS PROHIBITED BY THE CURRENT CODE AND IS THE PATH TO EVER LARGER UNFETTERED HYPERDEVELOPMENT ON STEROIDS.**

Much of the citywide planning documents that have been put forth recently (TNPs, CRA changes and this Ordinance) have the effect, if not the goal, of providing developers with ever increasing ways to get incentives, bonuses and incredibly valuable entitlements as a matter of right or discretion WITHOUT having to provide the affordable housing or the jobs that were the lure to voters to approve Measure JJJ. Apparently, once enacted, the Department is eager to just "tweak" things in JJJ so that incentives and bonuses are available as a matter of right, or at the discretion of the Director of Planning, without those pesky conditions placed on the upzoning by the voters. It started with some of the differences between what JJJ authorized and what the TOC Guidelines promulgated by the Department of Planning provide - and those differences are material. It has continued with the TNPs and now it is ever present throughout this Ordinance.

Below are just a couple of specific examples from this Proposed Ordinance that give developers additional upzoning and incentives without providing a shred of the affordable housing required by JJJ. Even worse, this Proposed Ordinance allows density, height, less parking, mass, and other affronts to neighborhoods on steroids by permitting developers to stack incentives onto each other. That is clearly unacceptable. The voters should and will find it particularly appalling if Planning and Council permitted the worst of JJJ - the valuable entitlements of upzoning for the exclusive benefit of owners and developers of real estate - without keeping even the paltry price JJJ imposed in return - requiring that construction be done to provide good jobs and at least a minimal level of affordable housing units while limiting the incentives to those specifically provided in this measure and not any other law.

**a. The first example is simple. This Ordinance is a blatant, no excuses and a complete 180 degree turn from existing law on the "no stacking" issue to permit hyperdevelopment on steroids by mixing and matching bonus upon bonus upon incentive under different State and City laws.**

LAMC Section 11.5.11 currently makes it clear that a developer cannot "stack" density bonuses or other incentives under applicable laws. So it specifically says (language lifted straight out of JJJ itself as on the ballot):

"All Projects qualifying for development bonuses pursuant to this Section shall be required to meet any applicable replacement requirements of California Government Code Section 65915(c)(3). ***A Developer seeking and receiving a density or development bonus under the provisions of California Government Code Section 65915 or any other State or local program that provides development bonuses shall not be eligible for the development bonuses pursuant to this Section.*** For purposes of this provision, development bonuses shall include discretionary General Plan amendments, zone changes, and height district changes."

New Section 13.3.1. E.4. of the Proposed Ordinance then turns that "no stacking" concept on its head by stating that:

***"In addition to the requested General Plan amendments, zone changes and/or height district changes, a Project that provides affordable housing consistent with this Section shall also be entitled to three incentives or concessions specified in California Government Code Sec. 65915(k) or the applicable Affordable Housing Incentive Program.***

***How is that anything but material and substantive and an utterly unwarranted giveaway of the very thing that Council and the voters thought would be the result of JJJ – additional levels of density and height, with reduced parking, in defined areas in exchange for building affordable housing?***

**b. A second example is less obvious but still is absolutely gobsmackingly substantive since it strips the affordable housing requirement out of the exemptions and conditional use permits within the purview of the Hillside Ordinance, thereby removing obstacles to another long time objective of developers -- a renewed ability to build McMansions or luxury housing in hillside areas that would qualify for upzoning bonuses, incentives and entitlements without having to provide affordable housing.**

Currently, LAMC Section 12.21.C(10) (part of the Hillside Ordinance) limits certain development unless otherwise permitted under LAMC Section 12.24.F (just amended in February 2018). That section only permits bonuses and incentives that comply with and provide the required affordable housing component. Revised LAMC 12.21.C(10) does NOT refer to 12.24.F. instead referring to new Sections 13.4.3.E(3)(a) and 13.4.3.E(3)(a), neither of which contain ANY reference to affordable housing requirements. So the new Ordinance provides an escape hatch for Density Bonuses granted by conditional use permits without complying with the Affordable Housing restrictions.

**c. A third example is that the Ordinance by a convoluted sleight of hand gives the Director of Planning the ability to cut parking requirements by another 20% over and above the parking requirements without requiring compliance with the affordable housing elements that today must be met in order to get that on-menu incentive.**

This Ordinance newly grants the Director of Planning the power to provide for a reduction of 20% in parking requirements for projects that do not comply with the affordable housing requirements in two separate ways -- first, by subtly changing the language in the existing legislative land use ordinance section and second, by inserting the Director of Planning into the formal Conditional Use Permit (CUP) process as an initial decision maker for review of the file and completeness. LAMC Section 12.24.P. on land use reserves the power to Council alone: "As part of any legislative land use ordinance, ***the Council*** may approve changes to the parking requirements not to exceed 20% of the requirements otherwise required by the Code." There is a parallel provision in the Conditional Use Process ((LAMC section 12.24.S) that permits "an initial decision maker or the appellate body" for a Conditional Use Permit (today that is limited to a Zoning Administrator (ZA), the City Planning Commission (CPC), the Area Planning Commission (APC) or Council, **but NOT the Director of Planning**), to reduce the parking requirements as part of the CUP process in conjunction with making the other findings and determinations required by the CUP process. **Nobody except City Council or, on limited matters in a quasi-judicial CUP proceeding, a ZA, the CPC, or an APC, can reduce, or propose to reduce, the parking requirements of the LAMC for a specific project without complying with the affordable housing requirements.**

The Proposed Ordinance now inserts the Director of Planning as a newly minted authority that can reduce parking for a project that does not meet affordable housing requirements, either as part of the legislative ordinance process or as part of the CUP process and accomplishes this result in two different ways. First, the legislative ordinance (or other "spot zoning") now provides slightly modified language, that:

***"As part of any legislative land use ordinance, the initial decision maker or the appellate body [RATHER THAN JUST THE COUNCIL] may approve changes to the parking requirements not to exceed 20% of the requirements otherwise required by the Code".***

**The effect** is that since the Director of Planning is at least an initial decision maker on all land use ordinances, Zone Changes, Project Review and Compliance and Adjustments, and Directors Determinations, **the Director of Planning in many cases can just grant a 20% reduction in parking for a project without affordable housing.** Given the substantial changes to notices and a hearing, the Director can do so on the signature of the applicant and the abutting and adjoining landowners without any other notices, stakeholder participation or a public hearing. This is the an example of the worst kind of spot zoning process, particularly by an unelected official, susceptible to abuse in clear violation of the role of the Neighborhood Councils and the stakeholders as enshrined in the City Charter and existing law.

Second, unlike the "land use ordinance" process, the Proposed Ordinance **does not change the language in the equivalent CUP process provision BUT the CUP process itself is changed to insert the Director of Planning** into the new sections as an "initial decision maker" for "review" and "completeness" whereas the Director of Planning is not mentioned at all in the existing law on CUPs. **The result, yet again, is that the Director of Planning can also insert a 20% parking reduction incentive into the CUP process WHETHER OR NOT THE PROJECT MEETS THE AFFORDABLE HOUSING ELEMENT.**

Both changes are material, substantive and deviate from the changes authorized under JJJ. Expanding the number of ways that density, parking and other incentives can be granted without complying with the requirements to provide affordable housing units and using the labor required by the voters in JJJ is an end run around the reasons put forth for its passage.

These apparently innocuous but actually substantive and pernicious "tweaks" to language permeate the Ordinance and are so thoroughly embedded and shrouded in subtle changes in the text that the Ordinance must be rejected until Planning is clear and forthright as to what this Ordinance does and why it should be enacted.

Sincerely,

Mary Hruska (Mar Vista)

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**OPPOSE Zoning Code / Los Angeles Municipal Code (LAMC) /**

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**Jerrod Longoria** <jerrod.longoria@gmail.com>

Nov 13, 2018 10:12 PM

Posted in group: **Clerk-PLUM-Committee**

Dear LA City Officials:

I am writing to strongly OPPOSE Zoning Code / Los Angeles Municipal Code (LAMC) / Reorganization of Administrative Provisions / Amendment, Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CE ("Proposed Ordinance").

The name of the Ordinance and the file number was changed between the time that it was considered by the CPC and the time it was sent to PLUM, making it really difficult for most of us to figure out how to voice our opposition on the record, but this Proposed Ordinance has caused tremendous consternation about its breadth.

Everyone needs a voice when it comes our communities and this ordinance takes away that voice and sends us down a path of reckless development and benefits developers who don't want to deal with or compromise to create a more balanced livable city for residents, voters and taxpayers. City Planning should be planned not just abdicated to therefor profit market benefiting from speculation.

**Please send this Proposed Ordinance back to Planning and do not pass on to Council until Planning has:**

- FIXED the Proposed Ordinance to INCLUDE the Neighborhood Councils in the authorities section with all of their Charter and LAMC powers, notices and rights. No exceptions.
- FIXED the Council powers section -- there is no section of this that ought to eliminate, suspend, transfer or delegate any of Council's powers to anyone else -- not Vince Bertoni or his successor, not Eric Garcetti or his successor, not the State of California and not anyone else. It would be easy enough to say up front that there is no intent to do that and the Proposed Ordinance does not do that
- FIXED to get rid of every single solitary reference to State law and every addition to the City Charter (like Advisory Agency authority added per Charter) in this Ordinance. We should not amend the Charter or bring State law into our LAMC or Charter.
- FIXED and revised every substantive law change. There are many

The Director of Planning should not be able to grant incentives, to waive like reduced parking or deviations from the zoning code setbacks, density or Floor Area Ratios other than through the existing affordable housing provisions

The Director should not be able to waive public hearings to make "back room" deals

It is appalling that this ordinance allows developers to "stack" incentives to maximize their bonuses but provide the minimal amount of affordable housing units which then double count or triple count as both replacement units under state law and new affordable units under the Transit Oriented Communities

The Director of Planning ability to act to "interpret" ordinances passed by Council without a right of appeal back to Council to ask what they really meant

FIX 500 foot radius (or more if not at least 20 neighbors), across the street, Certified NCs and any resident who has asked to be notified of any item within an area - all need to be preserved for notice, public hearing and right of appeal. FIX HPOZ provisions - Planning department should not be determining Certificates of Appropriateness without appeal to Council (which is the way it is now) or determine Certificates of Compatibility. The ordinance is fundamentally flawed and needs to be sent back for correction and review

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Jerrod Longoria

(714) 396.0947

5364 Packard St | Los Angeles, CA | 90019

## Request for Meeting with Redondo/Sycamore NA Re: City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE

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Carmen O'Connor <carmenbordas2014@gmail.com>

Nov 13, 2018 10:05 PM

Posted in group: **Clerk-PLUM-Committee**

Dear Councilperson Wesson,

My name is Carmen Bordas O'Connor, I am your constituent, and the president of the Redondo/Sycamore Neighborhood Association. Constituents in this neighborhood are concerned about the push for "urbanization" and "intensity" by the City Planning Department. It seems that the Mayor, State lawmakers, lobbyists for developers and investors consider this area prime for in future "urbanization" and "intensity". We are interested in protecting our communities from big changes, such as large buildings that have no green space on the street and which produce units/housing that no one in the neighborhood can afford.

As with the TOC projects and TNP visions, the Planning Department's recommendation as set forth in City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE has been brought to my attention. I am very concerned that it would give undo power and discretion to the Planning Department, particularly the Director of Planning. In addition, it would take power away from the City Council and other elected officials. I did look over the documents myself, and though it is a long document the section that indicates the decisions that would be designated for the Director of Planning are extensive. This is an appointed position, and is not intended to have checks on it, as your position would as an elected official and a servant of your community.

It is important that elected officials, such as yourself, maintain some authority and influence over development trends in Los Angeles. I have found our neighborhood interactions with representative from the Planning Department to be very indifferent to community and neighborhood concerns. The type of development that is being supported by the newest laws and Planning are threatening to the beautiful diversity and important historic demographics of our city. These are qualities that me and my neighbors hold very dear.

In order for you (as an elected official) and your constituents (as collaborators in the planning process) to continue to have input and some influence, I ask that you review the following points and reject this Proposed Ordinance, considering the following:

1. that the Proposed Ordinance must include the Neighborhood Councils in the authorities section with all of their Charter and LAMC powers, notices and rights. No exceptions.
2. rewrite the Council powers section -- no section ought to eliminate, suspend, transfer or delegate any of Council's powers to anyone else
- 3 the need to remove all references to State law and every addition to the City Charter, do not amend the Charter or bring State law into our LAMC or Charter.
- 4.the need to revise every substantive law change which results in less neighborhood and City Council input and inclusion in planning decisions specifically:
  - The Director of Planning should not be able to grant incentives, to waive reduced parking or deviations from the zoning code setbacks, density or Floor Area Ratios other than through the existing affordable housing provisions
    - The Director should not be able to waive public hearings.
    - this ordinance allows developers to "stack" incentives to maximize their bonuses but provide the minimal amount of affordable housing units which then double count or triple count as both replacement units under state law and new affordable units under the Transit-Oriented Communities
  - The Director of Planning ability to act to "interpret" ordinances passed by Council without a right of appeal back to Council to ask what they really meant. This is egregious in nature.

5. unequivocally preserve notice, public hearing and right of appeal for residents within 500-foot radius (or more if not at least 20 neighbors), across the street, Certified NCs and any resident who has asked to be notified of any item within an area.

6. preserve all HPOZ provisions - Planning Dept/Director of Planning should not be determining Certificates of Appropriateness without appeal to Council (which is the way it is now) or determine Certificates of Compatibility or approval of historic monuments.

Our neighborhood, Redondo/Sycamore which is near Mid-City and Miracle Mile, is facing many future changes based on the Transit Oriented Communities and Transit Neighborhood Plans. We would like to know that we have your support in working with City Planning and Developers on the pace and scale of development in this area today, and in the near future.

Bringing it back to the original intent of my email this particular recommendation by the Planning Department (City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE) is indicative of the intention to have a less inclusive process in the planning process of our city.

Councilman Wesson, we are requesting a meeting to discuss the difficulties we are facing with protecting our historic communities in Mid-City, and the particular questions and concerns we have with this recommendation from City Planning.

We request a response to our concerns on this City Planning initiative immediately.

Thank you for your service and your consideration to this matter.

Sincerely,  
Carmen Bordas O'Connor

\*\*\*To the City Clerk and the PLUM Committee Clerk - Please consider this as a formal request to put my email into the public record for this Council File.

## I oppose council file No 12-0460-s4

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**Sheri Odere** <sheri@odereinc.com>

Nov 13, 2018 6:12 AM

Posted in group: **Clerk-PLUM-Committee**

I OPPOSE Council File No. 12-0460-S4 - Zoning Codes  
The stakeholders say no!  
Sheri Odere



**ENV-2016-3183-CE - OPPOSITION from a Constituent**

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Karlene <karlene@sbcglobal.net>

Nov 13, 2018 9:13 PM

Posted in group: **Clerk-PLUM-Committee**

Dear City Council Members, Council Staff, and Clerks,

Subject: OPPOSE Council File #: 12-0460-S4

I am writing to strongly OPPOSE Zoning Code / Los Angeles Municipal Code (LAMC) / Reorganization of Administrative Provisions / Amendment, Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CE ("Proposed Ordinance").

The name of the Ordinance and the file number was changed between the time that it was considered by the CPC and the time it was sent to PLUM, making it really difficult for most of us to figure out how to voice our opposition on the record, but this Proposed Ordinance has caused tremendous consternation about its breadth and deceptive nature.

Everyone needs a voice when it comes our communities and this ordinance takes away that voice and sends us down a path of reckless development. Who is going benefit from this? Just developers who don't want to deal with or compromise to create a more balanced livable city for residents, voters and taxpayers. City Planning should be planned not just abdicated to the for-profit market benefiting from real estate speculation.

Please send this Proposed Ordinance back to Planning and do not pass on to Council until Planning has done the following:

1. **FIXED** the Proposed Ordinance to **INCLUDE** the Neighborhood Councils in the authorities section with all of their Charter and LAMC powers, notices and rights. No exceptions.
2. **FIXED** the Council powers section -- there is no section of this that ought to eliminate, suspend, transfer or delegate any of Council's powers to anyone else -- not Vince Bertoni or his successor, not Eric Garcetti or his successor, not the State of California and not anyone else. It would be easy enough to say up front that there is no intent to do that and the Proposed Ordinance does not do that.
3. **FIXED** to get rid of every single solitary reference to State law and every addition to the City Charter (like Advisory Agency

authority added per Charter) in this Ordinance. We should not amend the Charter or bring State law into our LAMC or Charter.

4. FIXED and revised every substantive law change. There are many:

- The Director of Planning should not be able to grant incentives, to waive like reduced parking or deviations from the zoning code setbacks, density or Floor Area Ratios other than through the existing affordable housing provisions
- The Director should not be able to waive public hearings to make "back room" deals.
- It is appalling that this ordinance allows developers to "stack" incentives to maximize their bonuses but provide the minimal amount of affordable housing units which then double count or triple count as both replacement units under state law and new affordable units under the Transit Oriented Communities
- The Director of Planning ability to act to "interpret" ordinances passed by Council without a right of appeal back to Council to ask what they really meant.

5. FIX 500 foot radius (or more if not at least 20 neighbors), across the street, Certified NCs and any resident who has asked to be notified of any item within an area - all need to be preserved for notice, public hearing and right of appeal.

6. FIX HPOZ provisions - Planning Dept should not be determining Certificates of Appropriateness without appeal to Council (which is the way it is now) or determine Certificates of Compatibility. There are also serious concerns about the approvals of historic monuments being given to just the Director of City Planning.

There is more that is of grave concern but the Ordinance is fundamentally flawed and needs to be sent back for correction and review.

Thank you for your time and service to the residents of the City of Los Angeles.

Respectfully,

Karlene Taylor  
4758 Edgewood Place  
Los Angeles, CA 90019

\*\*\*To the City Clerk and the PLUM Committee Clerk - Please consider this as a formal request to put my email into the public record for this Council File.

**Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CE -  
OPPOSITION from a Constituent**

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Beth McNamara <beth@bethmcnamara.com>

Nov 13, 2018 9:03 PM

Posted in group: **Clerk-PLUM-Committee**

Dear City Council Members, Council Staff, and Clerks;

I am going to start my email by telling you how much I love my city and my neighborhood. For 30 years I have called Los Angeles home and now am raising my two children to be contributing members of this city and future leaders of their community.

For the last 2 years, my two sons have watched me tirelessly write postcards, make phone calls and canvass for 2018 midterm candidates on the sole idea alone that Democracy is worth fighting for, at all costs, and that elected officials are public servants who have taken an oath to serve the people. Democracy is not easy because it takes time, patience and true process to make sure that all people are heard so that money and special interest do not bulldoze over the rights of human beings of all classes, races, ethnicities, religions, genders, and age.

It is with this spirit and commitment that I am writing to you tonight. And it is my hope that you too believe that all truly good government (regardless of party affiliation) can handle public outcry and criticism.

City Planning has been writing an Ordinance to alter the path to approval and notifications regarding development in Los Angeles. I am not sure who directed them to take these steps but I know that very intelligent community members have tried to point out this glaring shift of power to an unelected official and agency but have been dismissed and given the runaround. The name of the Ordinance and the file number was changed between the time that it was considered by the City Planning Commission and sent to PLUM without any cross-reference or link in the City Planning file or City Council, making it really difficult for most of us to figure out how to voice our opposition on the record. That is not how a city agency should work with concerned taxpaying residents.

So now this lands with all of you because City Planning has moved the Ordinance, Zoning Code / Los Angeles Municipal Code (LAMC) / Reorganization of Administrative Provisions / Amendment, Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CE ("Proposed Ordinance"), into City Council chambers.

So now, I must come to you, my elected public officials.

As a resident and taxpayer, I vehemently OPPOSE this Zoning Code/Los Angeles Municipal Code (LAMC)/Reorganization of Administrative Provisions.

Everyone needs a voice when it comes to our communities and this Ordinance takes away that voice and sends us down a path of reckless development. If we have learned nothing else in the last two years of politics it is that when something does not appear "just" or transparent that we, the people, need to "follow the money" and ask "Who is going benefit from this"? Well, it is not homeowners or renters so that leaves corporate developers who want the keys to the valuable real estate in this city for speculative real estate investments. That is not "Planning", that is pandering to special interest lobbyists who pay for access to policymakers and elected officials. City Planning should be planned not just abdicated to the for-profit market benefiting from real estate speculation. City Planning is an agency made up of employees that are paid with taxpayer dollars and are supposed to implement policy written and put forth by LA's elected officials with the input and support of their taxpaying, voting constituents.

Please send this Proposed Ordinance back to Planning and do not even consider it until City Planning has done the following:

1. FIXED the Proposed Ordinance to INCLUDE the Neighborhood Councils in the authorities section with all of their Charter and LAMC powers, notices and rights. No exceptions.
2. FIXED the Council powers section -- there is no section of this that ought to eliminate, suspend, transfer or delegate any of Council's powers to anyone else -- not Vince Bertoni or his successor, not Eric Garcetti or his successor, not the State of California and not anyone else. It would be easy enough to say up front that there is no intent to do that and the Proposed Ordinance does not do that.
3. FIXED to get rid of every single solitary reference to State law and every addition to the City Charter (like Advisory Agency authority added per Charter) in this Ordinance. We should not amend the Charter or bring State law into our LAMC or Charter.
4. FIXED and revised every substantive law change. There are many:
  - The Director of Planning should not be able to grant incentives, to waive reduced parking or deviations from the zoning code setbacks, density or Floor Area Ratios other than through the existing affordable housing provisions
  - The Director should not be able to waive public hearings.
  - It is a true crime that this ordinance allows developers to "stack" incentives to maximize their bonuses but provide the minimal amount of affordable housing units which then double count or triple count as both replacement units under state law and new affordable units under the Transit-Oriented Communities
  - The Director of Planning ability to act to "interpret" ordinances passed by Council without a right of appeal back to Council to ask what they really meant. This is egregious in nature.
5. FIX 500-foot radius (or more if not at least 20 neighbors), across the street, Certified NCs and any resident who has asked to be notified of any item within an area - all need to be preserved for notice, public hearing and right of appeal.
6. FIX HPOZ provisions - Planning Dept should not be determining Certificates of Appropriateness without appeal to Council (which is the way it is now) or determine Certificates of Compatibility. There are also serious concerns about the approvals of historic monuments being given to just the Director of City Planning.

This ordinance is flawed and done without transparency or community input. This is unacceptable and as elected officials who have sworn to act on behalf of the people of the city, I ask you to unanimously reject this Ordinance.

I will leave you with the opening paragraph pulled from Mayor Garcetti's webpage:

< Eric Garcetti is a fourth-generation Angeleno and the 42nd Mayor of Los Angeles. Born and raised in the San Fernando Valley — the son of public servants and the grandson and great-grandson of immigrants from Mexico and Eastern Europe — Mayor Garcetti's life has been shaped by a deep commitment to the core values of justice, dignity, and equality for all people. These ideals have fueled the Mayor's relentless drive to fulfill our common obligation: to give children and families of every race, faith, background, and income the chance to get a good education, live on safe streets, earn a decent wage, breathe clean air and drink clean water, receive affordable medical and child care, and build a future of their own choosing. >

This reads to me like Mayor Garcetti puts THE PEOPLE of Los Angeles as the priority. I truly believe that we are all in agreement and can move forward improving the

participation of residents in city planning and ultimately the overall quality of life for all residents.

In closing, Ordinance, Zoning Code / Los Angeles Municipal Code (LAMC) / Reorganization of Administrative Provisions / Amendment, Council File 12-0460-S4; Case No. CPC-2016-3182-CA; ENV-2016-3183-CEthe Ordinance/Municipal Code change is in direct contrast to Mayor Garcetti's ideals, is an affront to Good Government and therefore should not be considered by City Council at any level.

Thank you for your time and for your service to the residents of Los Angeles.

Respectfully yours,

Beth McNamara & family  
1159 S. Longwood Ave  
Los Angeles, CA 90019

\*\*\*To the City Clerk and the PLUM Committee Clerk - Please consider this as a formal request to put my email into the public record for this Council File.

**City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE -- OPPOSITION!!**

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Carmen O'Connor <carmenbordas2014@gmail.com>

Nov 13, 2018 10:33 PM

Posted in group: **Clerk-PLUM-Committee**

\*\*\*To the City Clerk and the PLUM Committee Clerk - Please consider this as a formal request to put my email into the public record for this Council File.

My name is Carmen Bordas O'Connor. Constituents in my neighborhood are very concerned about the push for "urbanization" and "intensity" by the City Planning Department. It seems that the Mayor, State lawmakers, lobbyists for developers and investors consider our area prime for in future "urbanization" and "intensity". We are interested in protecting our communities from big changes, such as large buildings that have no green space on the street and which produce units/housing that no one in the neighborhood can afford.

As with the TOC projects and TNP visions, the Planning Department's recommendation as set forth in City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE has been brought to my attention, as a push for development in the city that circumvents neighborhood input, and in this case City Council input and review.

I am very concerned, that it's adoption, would give undo power and discretion to the Planning Department, particularly the Director of Planning. In addition, it would take power away from the City Council and other elected officials. I did look over the documents myself, and though it is a long document the section that indicates the decisions that would be designated for the Director of Planning are extensive. This is an appointed position, and is not intended to have checks on it, as your position would as an elected official and a servant of your community.

It is important that elected officials, such as yourself, maintain some authority and influence over development trends in Los Angeles. I have found our neighborhood interactions with representative from the Planning Department to be very indifferent to community and neighborhood concerns. The type of development that is being supported by the newest laws and Planning are threatening to the beautiful diversity and important historic demographics of our city. These are qualities that me and my neighbors hold very dear.

In order for you (as an elected official) and your constituents (as collaborators in the planning process) to continue to have input and some influence, I ask that you review the following points and reject this Proposed Ordinance, considering the following:

1. that the Proposed Ordinance must include the Neighborhood Councils in the authorities section with all of their Charter and LAMC powers, notices and rights. No exceptions.
2. rewrite the Council powers section -- no section ought to eliminate, suspend, transfer or delegate any of Council's powers to anyone else
- 3 the need to remove all references to State law and every addition to the City Charter, do not amend the Charter or bring State law into our LAMC or Charter.
- 4.the need to revise every substantive law change which results in less neighborhood and City Council input and inclusion in planning decisions specifically:
  - The Director of Planning should not be able to grant incentives, to waive reduced parking or deviations from the zoning code setbacks, density or Floor Area Ratios other than through the existing affordable housing provisions
  - The Director should not be able to waive public hearings.

- this ordinance allows developers to "stack" incentives to maximize their bonuses but provide the minimal amount of affordable housing units which then double count or triple count as both replacement units under state law and new affordable units under the Transit-Oriented Communities
- The Director of Planning ability to act to "interpret" ordinances passed by Council without a right of appeal back to Council to ask what they really meant. This is egregious in nature.

5. unequivocally preserve notice, public hearing and right of appeal for residents within 500-foot radius (or more if not at least 20 neighbors), across the street, Certified NCs and any resident who has asked to be notified of any item within an area.

6. preserve all HPOZ provisions - Planning Dept/Director of Planning should not be determining Certificates of Appropriateness without appeal to Council (which is the way it is now) or determine Certificates of Compatibility or approval of historic monuments.

Our neighborhood, Redondo/Sycamore which is near Mid-City and Miracle Mile, is facing many future changes based on the Transit Oriented Communities and Transit Neighborhood Plans. We would like to know that we have your support in working with City Planning and Developers on the pace and scale of development in this area today, and in the near future.

Bringing it back to the original intent of my email, and rejection of this particular recommendation by the Planning Department (City Council File No. 12-0460-SA, Case No. CPC-2016-3182-CA and ENV-2016-3183-CE) which is indicative of the intention to have a less inclusive process in the planning process of our city.

I have requested a meeting with Councilman Wesson, to discuss the difficulties we are facing with protecting our historic communities in Mid-City, and the particular questions and concerns we have with this recommendation from City Planning.

Please be diligent in your protection of our communities and in the ability of our neighborhoods to have a voice in the progressive development of Los Angeles.

Thank you for your service and your consideration to this matter.  
Sincerely,  
Carmen Bordas O'Connor

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**I OPPOSE Council File No. 12-0460-S4 - Zoning Code / Los Angeles Municipal Code (LAMC) / Reorganization of Administrative Provisions / Amendment, Ordinance**

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**Roxann Smith** <roxann14@gmail.com>

Nov 13, 2018 11:07 AM

Posted in group: **Clerk-PLUM-Committee**

I would like to add my voice to the OPPOSITION to Council File No. 12-0460-S4 (see above subject line) and request that your opposition be made part of the file.

Thank you.

Roxann Smith  
1551 South Orange Grove  
Picfair Village