



Etta Armstrong <etta.armstrong@lacity.org>

Fwd: FW: Condition Compliance Unit, CF 14-0122

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Wed, Apr 23, 2014 at 7:47 AM

----- Forwarded message -----

From: Noel H. Fleming <nffleming@ccala.org>
Date: Tue, Apr 22, 2014 at 4:42 PM
Subject: FW: Condition Compliance Unit, CF 14-0122
To: "sharon.gin@lacity.org" <sharon.gin@lacity.org>

Hi Sharon,

Can you please add to Council File?

Noel H. Fleming**Director of Legislative and Legal Affairs** 

Central City Association of Los Angeles
626 Wilshire Blvd., Suite 200, Los Angeles, CA 90017
direct: 213-416-7513
office: 213-624-1213
nffleming@ccala.org

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From: Noel H. Fleming
Sent: Tuesday, April 22, 2014 10:35 AM
To: 'Tanner Blackman'; 'councilmember.huizar@lacity.org'
Cc: 'councilmember.englander@lacity.org'; 'Hannah Lee'; 'councilmember.cedillo@lacity.org'; 'gerald.gubatan@lacity.org'; 'michael.logrande@lacity.org'; 'Rocky Wiles'; 'Raymond Chan'; 'councilmember.wesson@lacity.org'; 'kelli.bernard@lacity.org'; Kevin Keller
Subject: Condition Compliance Unit, CF 14-0122

Councilmember Jose Huizar, Chair
Planning & Land Use Management Committee
200 North Spring Street
Los Angeles, CA 90012

Re: Condition Compliance Unit, CF 14-0122

Dear Chairman Huizar,

Established in 1924, the Central City Association (CCA) is L.A.'s premier business advocacy organization with 450 members employing over 350,000 people in the Los Angeles region. CCA represents a broad swath of the businesses that drive the Los Angeles economy. The larger business community knows firsthand how much of their own economic activity is driven by development, and that is why it is so critical that we take this opportunity to ensure the City is adopting policy to encourage job creation and economic investment.

On behalf of CCA, I write this letter to express our concerns about the growing list of requirements the City places on business, thus creating an environment unfriendly to business. While compliance and enforcement should be monitored, tracked, and facilitated, we feel strongly that it is equally important that the Condition Compliance Unit also work to improve coordination and streamline processes so that compliant businesses can thrive.

We believe that the following recommendations will greatly improve the Condition Compliance Unit to balance compliance and enforcement with appropriate streamlining and incentives. Therefore, we ask that you incorporate the following recommendations into the ongoing work of the Unit:

1. Facilitate Compliance By Adopting Measurable, Standardized Conditions Of Approval

Currently, many conditions of approval are not written in objective, measurable terms. As a result, business owners have difficulty complying with them, and inspectors are left to use judgment in their interpretation and enforcement. By adopting measurable, standardized conditions of approval, the compliance and enforcement processes can be clear and predictable for the business owner, for the community, and for City staff that conducts inspections and reviews discretionary applications.

2. Streamline The Plan Approval Process Using Compliance History

Currently, applicants having Conditional Use Permits return to the City after a designated period of time either to renew expiring permits or to comply with a permit condition that requires a Plan Approval. Official site inspections should be used on a regular basis, or in advance of Plan Approvals, to establish the level of compliance. Businesses deemed fully in compliance and with no history of violations should not be punished with an additional, costly, discretionary Plan Approval process – they should be rewarded with administrative renewal of their permit.

3. Improve Coordination Between and Within Departments To Reduce Timing Delays

Discretionary Projects require extensive coordination among several City departments. Currently, the City's system is so byzantine that developers are forced to expend great fortunes hiring niche experts. Conditional Use Permits are no exception. In order to address this, other Departments and Agencies must work with the Condition Compliance Unit to

improve coordination, reduce costly timing delays, and ensure that work is not duplicated. Some of the other City Departments involved include: Department of Building and Safety, Police Commission, Police Department, all of whom have their own requirements and timing delays. There are even opportunities to improve coordination within the Planning Department through additional communication and education involving staff at the Planning Counter, Zoning Investigators, and Zoning Administrators, all of whom play a role in the Conditional Use Permit approval and effectuation process.

Staff should take into consideration the requirements and timeline of other Agencies involved in permitting alcohol-related uses, such as the State Alcoholic Beverage Control and County Health Department, so that the experience of the business owner is considered holistically as this program is further refined.

4. Adopt A Sliding Scale Fee Schedule To Assist Small Businesses

As described above, the discretionary process is very costly for businesses and can be detrimental to small businesses that simply do not have the economies of scale to withstand the impacts of additional requirements. Therefore, we recommend that the Department adopt sliding scale fees based on factors such as square footage, number of seats, or other metrics that take into account business size.

5. Moving Forward Provide Notice, Clarity, And Amnesty

Thus far, the Condition Compliance Unit has been focused on establishments having alcohol permits. As the Condition Compliance Unit moves forward and evaluates compliance for other types of businesses and projects, we ask that staff provide sufficient notice before new requirements are enforced, clarity regarding new policies and procedures, and opportunities for businesses to achieve compliance during an amnesty period.

Finally, we want to acknowledge the work of Planning staff. Staff has made strong efforts to improve processes to the best of their ability given the staffing and resource challenges that exist within the Department and Citywide. We greatly appreciate the time and energy staff has put in to remain accessible and improve the process.

As with any program, the devil is in the details. We hope that this thoughtful input will help inform the City's process as it moves forward. Should you have any questions, you may contact Noel Fleming, CCA's Director of Legislative and Legal Affairs at 213-416-7513 or nfleming@ccala.org.

Sincerely,



Carol E. Schatz
President & CEO

Cc: Councilmember Mitchell Englander


Councilmember Gil Cedillo
Michael LoGrande, Department of City Planning

Rocky Wiles, Department of City Planning
Ray Chan, Department of Building & Safety
Council President Herb Wesson



Kelli Bernard, Office of the Mayor

Kevin Keller, Office of the Mayor

Noel H. Fleming

Director of Legislative and Legal Affairs 

Central City Association of Los Angeles
626 Wilshire Blvd., Suite 200, Los Angeles, CA 90017
direct: 213-416-7513
office: 213-624-1213
nfleming@ccala.org

 Facebook  Twitter

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Sharon Gin
City of Los Angeles
Office of the City Clerk
213.978.1074
Sharon.Gin@lacity.org



 **Condition Compliance Letter, April 18.pdf**
219K

MEMBERS
Name, Title
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VICED CHAIRS
Name, Title
Address
Phone
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NAME, TITLE
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CITY, STATE, ZIP

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