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CF14-0650

ITEM 3, PLUM 6/10/14

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**STATEMENT of J.H. McQUISTON on
7108 AMIGO and 18561 GAULT**

Honorable Chairman and Members of the Committee:

There is a problem with this conversion. The General Plan conflict prevents conversion from Single-family residential.

Just because other parcels do not comply with the General Plan does not permit another parcel not to comply.

The Plan is **not set forth in whole in the material for review.**

What the Council must do is adopt a Plan Amendment if the project is to go forward. A specific plan to the contrary is not sufficient evidence to permit Plan violation.

CEQA cases have painfully-set forth that **there is no such thing as a "minor" departure from CEQA and from Government Code.**

I suggest looking at the General Plan first, then determining what is appropriate for the area, **for the City, and for surrounding Cities and County**, just like California requires the City to do.

AD HOC PLANNING WAS FORBIDDEN in the 1970's. City lost its case to continue ad hoc planning in *City of Los Angeles v State of California*. That happened **over 30 years ago.**

It will be painful, but **now is the time for Los Angeles to realize it is part and parcel of this State and obey it.**

For further facts on State law, *see Government Code* at 65300, and also CF14-0608 (this agenda) "Comment".

The State recognizez only one zoning per parcel and insists that the Plan adhere to that zoning. There is no excuse to claim a parcel may choose between a host of mutually-exclusive zoning and claim it applies to it.

"The tall does not wag the dog". *deBottari, Leshner*, many other courts.

Respectfully submitted,

J. H. McQuiston

c: Interested parties