

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

This is an automated response, please do not reply to this email.

Contact Information

Neighborhood Council: Greater Wilshire Neighborhood Council

Name: Philip Farha

Phone Number:

Email: landuse@greaterwilshire.org

The Board approved this CIS by a vote of: Yea(26) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 03/29/2021

Type of NC Board Action: Against unless Amended

Impact Information

Date: 04/04/2021

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 09-0969-S3

Agenda Date: 03/29/2021

Item Number: II

Summary: The Greater Wilshire Neighborhood Council Board opposes unless amended Council File 09-0969-S3 by rejecting the CAO's recommended appeals fee increase from \$89 to \$16,097. The vote to oppose was unanimous and firm. A public letter outlining its decision is attached.



March 30, 2021

Honorable City Council
Honorable Planning and Land Use Management Committee
c/o Office of the City Clerk
Los Angeles City Hall
200 North Spring Street, 5th Floor
Los Angeles 90012-2601

Re: **Council File Number 09-0969-S3**
OPPOSITION to Fee Increase: Non-Applicant Initiated Planning Appeals

Dear City Council President Martinez, PLUM Chair Harris-Dawson, and Honorable City Council and PLUM Committee Members:

By unanimous official board action of its 16 members present, the Greater Wilshire Neighborhood Council (GWNC) opposes the proposal of the Chief Administrative Officer (CAO) to increase the planning fee charged for non-applicant initiated appeals from \$89 to \$16,097. This proposed increase is not a typographical error. Rather, it is a community-crushing error in the exercise of responsible government. The proposed fee increase must be rejected.

Previous efforts to materially increase the fee for non-applicant initiated Planning appeals have been rejected each time this matter has been considered by the City. This is consistent with common sense. It correctly recognizes that non-applicants, including land use project neighbors, community-based organizations, non-profit groups, disadvantaged and low income communities, and environmental and climate advocates, together with a host of similarly situated non-commercial enterprises, only have the opportunity to be fully heard in the Planning process at the appeal level. The initial Planning determination largely serves the project applicant, who must pay full cost recovery for that self-interested opportunity.

The astronomical proposed appeal fee of \$16,097 will drive almost every, if not every, non-applicant away from filing a Planning appeal, exclusively on financial grounds. These important voices and points of view will be lost from the City's Planning process. The community's fundamental constitutional and charter right to seek, and *your obligation* to provide an avenue for, redress of grievances will also be sacrificed. This inability to pay the City's land use appeal fee will, in turn, prevent community members from seeking judicial redress. By failing to file an appeal with the City, they will not meet the prerequisite of "exhausting their administrative remedies. Every avenue and opportunity for redress will be closed by the City's \$16,097 price tag.

As you act to reject the CAO's proposed fee increase, please bear in mind that the CAO did not suggest or offer a study to support its onerous recommendation. There is no demonstration by the CAO, or by anyone, that the current non-applicant initiated appeal fee of \$89 has been overused,

misused or abused, and should therefore be reconsidered. To the contrary, the GWNC submits that the \$89 fee has only, and wisely, served its deliberate and intended purpose – to facilitate active engagement with the least able to afford admission to the halls of City power, and to ensure that their voices remain solidly and squarely at every Planning table.

Thank you for preserving good government and access to it for all.

Respectfully yours,



Caroline Labiner Moser,
President,
on behalf of the
Greater Wilshire
Neighborhood Council

**GWNC Community Impact Statement Form
Filed Concurrently**

1323392.1



GWNC 419 N. Larchmont Blvd., #331, Los Angeles, CA 90004 • (323) 539-GWNC (4962)

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