

Contact Information

Neighborhood Council: Greater Echo Park Elysian Neighborhood Council

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The Board approved this CIS by a vote of: Yea(20) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 08/22/2017

Type of NC Board Action: Against unless Amended

Impact Information

Date: 08/28/2017

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 09-0969

Agenda Date:

Item Number:

Summary: Echo Park Neighborhood Council opposes any significant increase in appeal fees for planning and land use appeals.

Applying "full cost recovery" to limit the right of the public and affected property owners to appeal these decisions is a dereliction of one of the primary duties of government - to provide a fair and impartial system of reviewing decisions that is accessible to all citizens, including minority voices, and not just those with wealth and power. The "costs" of an appeal should be subsidized by the general fund.

Accordingly, EPNC opposes any increase in fees to non-applicants beyond that contained in Option 1 of the most recent CAO/Planning Report (8/14/17) of \$271.

In addition, if there are gradations in fees based on residents living within a certain distance from the project, the ordinance/fee schedule should also make allowance for Neighborhood Associations or non-profit organizations with a member residing within such distance to qualify for those same fees, so as to provide an equal playing field with well-funded developers who often are corporate entities that can deduct the costs of appeals.

Further, if environmental appeals truly cost more, then the difference in cost should be applied proportionately to the various fees imposed to different parties; there should not be a jump from \$271 to \$13,000 for the same appellant based on the nature of the appeal.

To do otherwise would be to deny citizens access to the Courts and due process and otherwise result in bad policy and bad land use decisions.