

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](mailto:NCsupport@lacity.org).

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

#### Contact Information

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The Board approved this CIS by a vote of: Yea(16) Nay(0) Abstain(0) Ineligible(2) Recusal(0)

Date of NC Board Action: 06/22/2021

Type of NC Board Action: Against

#### Impact Information

Date: 06/23/2021

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 12-0460-S4

Agenda Date:

Item Number:

Summary: The Echo Park neighborhood Council urges the City Council to postpone the consideration of the pending proposed Processes



# ECHO PARK NEIGHBORHOOD COUNCIL



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## COMMUNITY IMPACT STATEMENT IN OPPOSITION OF COUNCIL FILE 12-0460-S4

CERTIFIED COUNCIL  
APRIL 16, 2002

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JUNE 23, 2021

### **Opposition to the proposed *Process & Procedures Ordinance* until approval of both the *Housing Element* and *Report of Citywide Equitable Distribution of Affordable Housing*.**

The Echo Park neighborhood Council urges the City Council to postpone the consideration of the pending proposed Processes & Procedures Ordinance. The Ordinance makes significant changes that have the potential to reduce public engagement and thwart transparency on land use matters and housing equity. The Ordinance is just one chapter of the proposed New Zoning Code (NZC), and yet this chapter is being pushed toward adoption in advance of the rest of the Code in an attempt to radically streamline the approval process. There should be no further streamlining of project approvals when the City has neglected to address planning fundamentals that are necessary to ensure the health, safety and housing security of the people of Los Angeles.

#### **Key Concerns:**

#### **1. The Ordinance moves Planning authority away from elected officials, accountable to the public, to unelected City Administrative personnel or City Commission.**

Unelected officials will have authority to make decisions regarding project “adjustments”, “alternative compliance”, CUPs and HPOZs. This shift would reduce public engagement, and allow important decisions to be made with no public oversight.

The Ordinance is nearing final approval, though LA City Planning (Planning) has failed to follow explicit instructions from the City Council. The Council unanimously approved a motion from Council President Nury Martinez instructing Planning to update the Ordinance with additional criteria for granting entitlements, and language ensuring the furtherance of the public’s interests (CF 20-1045) as well as

cited public concern over the approval process for some projects. Martinez stated, “For this reason, it is necessary to provide additional criteria in the Processes and Procedures Ordinance when legislative actions and other entitlements occur. This will give more discretion to the Planning Department to make sure these actions align with broader city goals and the public interest. This will also provide more transparency to the public when a project can diverge from existing zoning.”

**2. Ordinance codifies existing policies that promote housing inequality, and should not be adopted before the completion of the Housing Element.**

For increased validity, allow the City to continue its current process of updating the Housing Element before adoption of the Ordinance. The language under Sec. 11.5.11.a continues the practice of counting replacement-units toward the affordability requirement by which it does not contribute to resolving the affordable housing crisis.

In addition, Sec. 11.5.11.a allows developers the option of building off-site affordable units to fulfill affordability requirements, which perpetuates segregation and promotes housing inequality. On 5/21/21, LACP and HCIDLA submitted “Report Relative to the Citywide Equitable Distribution of Affordable Housing” (CF 19-0416) to City Council. The report makes clear that affordable housing in LA is mostly concentrated in the City’s central areas, and that many communities in high resource areas have little or no affordable housing available to low-income households. Allowing developers to build affordable units off-site perpetuates this situation.

Nothing in the Ordinance should preclude policy changes that may be included in the updated Housing Element to reverse growing housing inequality.

**3. There has been limited public outreach, and no meaningful effort to present the Ordinance to Neighborhood Councils (NCs) for scrutiny.**

City Planning has conducted almost no outreach to NCs and the general public. The Ordinance makes significant changes to the approval process and has held 3 meetings of 1.5 hours each to review a 900+ page document, not including Exhibits. Further, despite repeated requests, LACP has refused to provide a redline document that shows what changes were made after the last round of feedback.

The Recommendation Report from the City Planning Commission, a document that runs over 1,000 pages, was released about two months ago. This timing does not provide enough time to review and comment. Technical corrections were posted on May 25, 2021 and the Ordinance appeared on the PLUM agenda just 7 days later, but these “technical corrections” appear to contain substantive changes. Also, the tables in the technical corrections claiming that something is or is not required by the City Charter (in red) appear to be an effort to recast the requirements of the Charter which cannot be changed by ordinance or by the LACP.

**4. The Ordinance must explicitly reference Neighborhood Councils (NCs), the role they play in public engagement for land use issues, and codify notification to NCs of new planning applications.**

The Ordinance seems to remove Neighborhood Councils from the planning process. It only requires that NCs be notified of public hearings, of which there will be far fewer under the New Zoning Code, since it allows substantial By-Right increases in height and density. Also, it does not mention the Early Notification System (ENS), which allows NCs to get regular updates on submitted applications by neighborhood. The ENS must be codified within the language of the Ordinance.

While NCs have no decision-making authority, they provide a crucial forum for public engagement, giving stakeholders the opportunity to review and comment on proposed projects. The NCs and DONE are the only entities required by the Charter for land use that are not expressly included as a Section in Division 13A.1. Their exclusion seems to be part of a larger strategy to remove Neighborhood Councils from their role as agents of public engagement with regard to land use decisions.

**5. Time factor, since the Ordinance's first publication with recommendations and later, additional technical changes made created a time burden for timely review by Council Offices, Neighborhood Councils and the general public.**

Additional time needs to be allowed for City Council and staff to review the documents in their entirety, and it is strongly encouraged that the Council obtain outside cumis counsel to review the document rather than relying on the City Attorney's office, to ensure that no transfer or elimination of land use authority occurs which would diminish the explicit authority of the Los Angeles City Council to preside over land use issues in the City.

**6. City Planning lags behind by decades on state required Elements of the General Plan.**

City Planning needs to complete its fundamental work of updating a number of General Plan Elements that include: Air Quality (1992); ConservaLon (2001); Safety (1996); Infrastructure (1968-1972); Open Space (1973); Public Facilities & Services (1969) and Noise (1999). In addition, the City has failed to comply with the General Plan's monitoring requirements.

Further, the City's focus on speculative growth and development is causing increased housing inequality, depleting precious resources and causing a strain on public services and infrastructure. Yet, in spite of these grave problems, the City's leadership is pushing forward with an Ordinance designed to accelerate project approvals. This piecemeal approach to the adoption of the New Zoning Code, along with its out-of-date Elements of the General Plan, has created a chaotic process that puts at risk the health, safety and welfare of the residents of the City of Los Angeles.

Lastly, all stakeholders (used in its broadest terms) must be given more time to study and comment on such complex documents. Thus, it is essential for the Council to oppose consideration of the proposed Processes & Procedures Ordinance until the approval of both the Housing Element and the Report of Citywide Equitable Distribution of Affordable Housing (CF 19-0416).

**RESOLUTION**



On June 22, 2021, the EPNC Board of Governors held a Brown Act noticed-meeting, at 7pm through zoom. With a quorum of 18 board members present and vote count of 16 yeas, 0 nays, 0 abstentions, and 2 ineligible the Board resolved to write a letter of opposition for the application as set forth above.

Respectfully,  
Echo Park Neighborhood Council

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Nick Marcone  
Secretary, Echo Park Neighborhood Council

Handwritten signature of Nick Marcone, consisting of stylized initials 'NM'.