

Cheviot Hills Home Owners' Association

P.O. Box 64458, Los Angeles, CA 90064 www.cheviot hills.org

September 7, 2016

City Council President Wesson and
Honorable Members of the City Council
Los Angeles City Hall, Room 350
Los Angeles, CA 90012
VIA EMAIL: alan.alietti@lacity.org

Re: CF 16-0529 Parks Dedication and Fees Update

Dear President Wesson and Honorable Councilmembers:

The Cheviot Hills Home Owners' Association ("CHHOA") is incorporated as a non-profit home owners' association representing a geographic area that encompasses approximately 1400 single-family homes.¹ CHHOA was incorporated to support and defend quality of life issues defined by our residential neighborhood. Within or adjacent to our boundaries are Overland Avenue Elementary School, the Riddick Youth Center, Rancho Park Golf Course, Cheviot Hills Park and Recreation Center, Palms Park Recreation Center, and Palms/Rancho Park Library.

We write today on behalf of our membership to oppose *CF 16-0529 Parks Dedication and Fees Update* being heard today by the City Council. This measure is of great concern to our CD-5 community and others across the City who, like us, have less than 1 acre of parkland per 1000 residents. We object to the redirection of Quimby funds from the current two mile radius from local developments to a radius of 15 miles! That move seeks to basically rob mitigation funds intended for the communities who absorb development impacts and redirect them to Citywide use.

Further, this measure has been moving on a fast track through the Council with little to no public notice or outreach to the City's Neighborhood Councils. The City has failed to conduct a dialogue with stakeholders regarding the potential impacts of the measure and, whether by intention or expediency or both, no information has been communicated by PLUM, the Recreation and Parks Department, DONE or any other City body. There has been no discussion as to the rationale for such a bold move, or explanation for why due process and transparency have been assiduously avoided in this effort. Those failures critically undermine public confidence and increase cynicism towards our City government. On a subject so important to the environmental health of our neighborhoods, our communities deserve better.

¹ Our northern border is Cushdon Avenue (south side only), Lorenzo Drive and Monte Mar Terrace. The eastern border is Patricia Avenue, near the Rancho Park Golf Course, and Anchor Avenue further east. The southern border is Queensbury Drive and Motor Avenue. Overland Avenue is the western border, from Cushdon to Exposition/Northvale Road. Motor Avenue and Pico Boulevard, in the shadow of Fox Studio and Century City, is the northern gateway to the Cheviot Hills Community, while Motor Avenue at Manning Avenue is the southern portal. The southwestern border of the community is defined by the Exposition Right-of-Way (Expo ROW, or ROW) emerging from a tunnel under the I-10 Freeway into a trench where it rises gradually to street level a few blocks before Overland Avenue.

Further undermining the public's confidence is the fact that, according to the Council File record for this ordinance, it is the City Administrative Officer and the Mayor who initiated the measure. This, along with the failure to provide the findings required by State law, would appear to be improper.

We therefore must raise both concern and objection to any measure that might remove Quimby funds from our CD area (or any of the other CD areas which provide less than 1 acre/1,000 residents) to communities 15 miles away which are unrelated to projects and their impacts.

Moreover, why does the proposal fail to address Quimby Funds already allocated to parks within the existing radius from developed projects? Are there anticipated changes to those funds which would invalidate environmental documents for approved or already built projects which relied on the allocation of Quimby funds as mitigation for project-related impacts? Many environmental documents contain language that would constrain usage of the funds to the immediate area impacted:

"New residents generated by onsite development would increase the use of existing neighborhood and community parks and recreation facilities, which could cause or accelerate physical deterioration of the facilities. However, with payment of required Quimby fees and/or Recreation and Parks fees and the provision of required onsite open space, impacts to parks and recreational facilities would be less than significant."

Neighborhood Councils are often urged to adopt Community Impact Statements on issues of citywide importance. The Council File on this measure does not contain a single CIS, but not because the issue is not important to the Councils. It is because no outreach has been done to neighborhood councils or local parks committees and advisory boards. And further, the communities like CHHOA served by our Neighborhood Councils have been given no time to examine the details of the measure nor to distribute them to our members.

For the forgoing reasons, the Council should not vote on *CF 16-0529 Parks Dedication and Fees Update* until such time as due process, due diligence, full disclosure and transparency have been afforded to stakeholders citywide on this ordinance.

Please place our letter in the Official Record of the Council File for this item. Thank you for your consideration,

Sincerely,

Gregg Spiegelman
President, CHHOA

Colleen Mason Heller
Vice President, CHHOA

cc: Paul Koretz, CD 5

Faisal Alserri, Shawn Bayliss, David Hersch, Philip Bennett-CD 5 , Joan Pelico,

Westwood South of Santa Monica Blvd
Homeowner's Association
Incorporated November 8, 1971
P. O. Box 64213
Los Angeles, CA 90064-0213

September 6, 2016

City Council President Wesson and
Honorable Members of the City Council
Los Angeles City Hall, Room 350
Los Angeles, CA 90012
VIA EMAIL: alan.alietti@lacity.org

Re: CF 16-0529 Parks Dedication and Fees Update

Dear President Wesson and Honorable Councilmembers:

The Council will be considering the above measure at its meeting of September 7. We write because this measure of great importance to our community and others across the City and is moving through the Council with little to no notice from communities having been in PLUM just last week. We/they have been unaware of the potential impacts of the measure and it has not been well communicated by PLUM, the Recreation and Parks Department, DONE or any other City body.

No doubt we can agree that it is important to revise the Quimby Fees assessed upon developments that come before the City. Our Board most certainly supports that proposal as well as the efforts to broaden the types of developments are accessed to provide funding for parks. Overall our City is "park poor" and lacks the open space needed to support the current population in addition to needing to provide for the growth anticipated for in the future. Sadly, our own Council District 5 is one of the Council Districts (along with Council Districts 8, 9, 10 and 13) that provides less than 1 acre per 1,000 individuals.

We therefore must raise both concern and objection to any measure that might remove Quimby or Finn funds from our CD area (or any of the other CD areas who provide less than 1 acre/1,000 individuals) to any other Council District. Because land is more expensive in some areas of the City than others, will it mean that that the transfer and bundling of funds to buy more "affordable" parkland will leave those areas where land is more expensive without any funds to purchase future lands?

We have not had the time to examine the details of the measure in terms of whether or not it is meeting the requirements of state law, whether it exceeds them (and if so, why and to what end), and more importantly why a conversation to discuss options was not publicly held. What will the impact be? Is a categorical exemption appropriate given the impacts that might be expected?

We cannot determine what the future status of currently held Quimby funds will be – funds that were assessed specifically to mitigate project impacts in a specified target area. It is also impossible to determine the financial impacts of proposed exemptions of specific types of construction. What does this mean in dollars and cents looking into the future? Will some communities experience significant increases in population and density but have no resources to provide park facilities for those residents? How will the City respond?

While the City is reviewing systems related to the updating of Community Plans, Batching General Plan Amendments, etc., so far as we are aware, amendments to the General Plan must be proposed either by the Council, the City Planning Commission, or the Director of Planning. According to the Council File record for this measure, it is the CAO and the Mayor who initiated the measure. This would appear to be improper along with the failure to provide required findings.

Two topics that we raised in earlier correspondence to the City Planning Commission have to do with access to open space and the quality of open space provided in conjunction with future private and / or public open space. While the staff report noted that the proposed revisions will “expand credit options toward the land dedication or fee amount for projects providing park-related amenities greater than the minimum open space requirements,” it is very important that any space provided be truly publicly accessible (for at least a minimum number of hours per day or week). This may be an important distinction, particularly if private land is dedicated for future park uses.

In our community there have been large projects that have provided very lovely outdoor park-like amenities for their residents or tenants. Those spaces, however, were not and are not open to the public. (In one project, the CPC wisely required the developer to allow public access to a portion of planned open space during daytime hours; however that project was never built.) If a project is to receive an in-lieu credit shouldn't the language include some reference to public accessibility to make it perfectly clear that it is not enough to provide park-like open space in excess of what is required?

We note that later in the Staff Report discussion of the Objectives of the Plan there is language that makes reference to the *need* for publicly accessible park resources. However, because CPC and City Council Members change over time and commitments to open space may vary, would it be useful to clearly state that in-lieu credits are to be granted only when public access accompanies open space allocations in excess of City requirements?

In light of the fact that recent public health research has now documented that open space within 500 feet of busy arterials is not healthy due to fine particulate pollution concentrations, is it also important to somehow include in the discussion of open space allocations for recreational use, that the dedicated land that might be offered in exchange for an in-lieu credit (or for meeting any required open space condition), be USABLE open space -- meaning open space that is beyond any 500 foot areas subject to concentrations of fine particulate pollution? I am aware of a large project entitled not long ago that will place its recreational amenities within 500 feet of a major freeway and that received "credit" for meeting its open space requirement with that action. One would hate to think that a project similarly placed could somehow dedicate freeway-adjacent

land for park-related uses --- even though it would be unhealthful to place such uses there. I am not aware of any current language that differentiates between open space and USABLE open space.

Neighborhood Councils are often urged to adopt Community Impact Statements on issues of citywide importance. As all can see, the Council File on this measure does not contain ONE CIS. This is not because the issue is not important to the Councils or the City. It is because no effort has been done to reach out to neighborhood councils, and local parks committees and advisory boards. For that reason alone, the Council should not vote and should make the time to communicate with the neighborhood councils and communities to educate, explore and address concerns.

Please place our letter in the Council File for this item. We wish to include in our comments any additional comments submitted on this item.

Thank you for your consideration,

Sincerely,

Barbara Broide
President

cc: Paul Koretz, CD 5
Faisal Alserri, Shawn Bayliss, David Hersch, Philip Bennett-CD 5