

## MOTION

**Land Use Reform – Increasing Transparency**

On August 24, 2016 the Director of Planning initiated a Processes and Procedures Ordinance that would amend the Los Angeles Municipal Code to systematically reorganize the administrative provisions of the Zoning Code (CF: 12-0460-S4). The purpose of this ordinance is for the public to have a user-friendly and consistent set of administrative provisions that clearly outline the processes and procedures for project review.

The type of actions outlined in the Processes and Procedures Ordinance such as General Plan and Zoning Code amendments allow for changes to established zoning. From November 2016 to February 2020, these types of actions have gone to the City Planning Commission 135 times.

In many cases these entitlements are warranted due to the city's outdated zoning code, which makes many projects, particularly housing, infeasible. There are also situations where projects, such as industrial facilities, are proposed which can have an adverse affect on nearby residents. In these situations the land use process allows Council Offices to advocate on behalf of their constituents to reduce impacts.

However, the sheer volume of entitlements can also erode public trust. Without clear established criteria, the public is left wondering how certain projects were allowed to be built in their communities. For this reason, it is necessary to provide additional criteria in the Processes and Procedures Ordinance on when legislative actions and other entitlements can 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.

As a result of the outdated code and administrative processes, Council Offices have to play a more active role in some projects. This type of involvement results in communications between a Council Office and development team. In order to bring more transparency to the interactions between Council Offices and developers, the City should establish protocols for these meetings.

**I THEREFORE MOVE** that the City Planning Department, in coordination with the Chief Legislative Analyst, update the Processes and Procedures Ordinance with additional criteria on when entitlements such as legislative actions and Conditional Use Permits will be granted and should restrict actions from moving forward unless it can be established that they are in the public interest or otherwise adhere to established policies of the city.

**I FURTHER MOVE** that the City Planning Department, in coordination with the Chief Legislative Analyst, establish new protocols around communication between developers

AUG 19 2020



MOTION

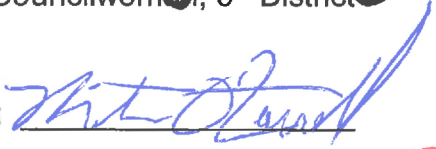
Land Use Reform – High Value Projects

The Planning and Land Use Management Committee (PLUM) has significant power over land use decisions in the city. This includes the ability to over turn previous decisions made by the Planning Department and Planning Commission and to schedule when projects are heard, which can impact a developer's ability to meet critical deadlines.


For high value projects, the granting of entitlements can be worth hundreds of millions of dollars. The developers of these projects hire teams of consultants and lobbyist who often targets members of the PLUM Committee. In some cases these projects are very large and have citywide impacts. For this reason, it is necessary for these high value projects to bypass the PLUM Committee and go directly to the full City Council to be voted on.

**I THEREFORE MOVE** that the City Planning Department, in coordination with the Chief Legislative Analyst report back in 30 days on developing criteria for high value projects and amend the planning process so these projects are diverted from PLUM and go directly to the City Council, the report should analyze high value projects that have gone to PLUM since 2013 and take into consideration both the total cost as well as the cost per square foot.

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Councilwoman, 6<sup>th</sup> District

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AUG 19 2020

and council offices that takes place outside official meetings or hearings, these protocols should ensure that discussions between developers and council offices take place transparently and with appropriate disclosures.

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Councilwoman, 6<sup>th</sup> District

SECONDED BY: 



## MOTION

**Land Use Reform – Zoning Ballot Measure**

A fundamental flaw of land use planning in Los Angeles is an outdated and inconsistent zoning code. Many of the city's Community Plans are badly out of date. The Sun Valley-La Tuna Canyon Community Plan and Mission Hills- Panorama City- North Hills Community Plan were last updated in the 90's. This leaves our code riddled with outdated Q and T conditions and antiquated designations such as Parking Zones. Although the Planning Department is currently in the process of updating Community Plans and introducing a new Zoning Code, this process will take many more years to be fully completed and could also be delayed by litigation and budget cuts.

The city's outdated zoning makes it necessary for many projects to seek entitlements diverging from established zoning. City Council members, and not the Planning Department or the community, become the primary arbiters of land use decisions. This process leads to confusion and rewards those with the resources to hire consultants and lobbyists. It also leads to a lack of transparency for the public where projects rise in neighborhoods that do not correspond to their designation in the zoning code. This process is also inequitable with exceptions most often being made for projects in low-income community of colors where developers anticipate a lack of neighborhood pushback.

The outdated zoning code also prevents the city from meeting the pressing and urgent demands it is faced with. The city has a critical lack of housing for all income levels, however the zoning code prevents new housing from being built in much of the city particularly in job and transit rich communities. An updated code will better allow the city to house its homeless population, take advantage of transit investments, and meet our state mandated Regional Housing Needs Assessment (RHNA) target of over 450,000 new homes by 2029.

Measure JJJ which was passed by voters in 2016 is evidence of how updating the zoning code can streamline projects while producing broader benefits to the public. The Transit Oriented Communities (TOC) program, which resulted from JJJ, has produced over 30,721 units, including 6,497 affordable units, and thousands of high paying construction jobs since it was established in 2017. It has also streamlined zoning in certain areas leading to a 78% reduction in General Plan Amendments and Zone Changes.

Even with an updated zoning code, it will still be necessary for certain projects to go through an entitlement process. This process can serve as a useful mechanism for Council Offices to advocate for the needs of their constituents. However, granting entitlements as a matter of course is an inefficient and non-transparent way to manage land use in the city. For this reason it is necessary to update the city's zoning code so we can streamline the process and create a more affordable and sustainable city.

AUG 19 2020


AUG 19 2020

**I THEREFORE MOVE** that the City Planning Department, in coordination with the Chief Legislative Analyst, report back in 30 days on the creation of a measure to be placed on a future ballot to update the city's zoning code. This measure should:

- Address the city's desperate shortage of housing as well as the city's RHNA obligation.
- Be modeled after TOC to incentivize broader community benefits such as affordable housing, high paying jobs, parks and open space and improvements to mobility and the public realm.
- Lead to an equitable distribution of new housing around the city based on high quality jobs, transit, and historic housing production.

**I FURTHER MOVE** that the zoning code ballot measure be prepared through a transparent process, which includes community engagement.

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## SUBSTITUTE MOTION - ITEM 42

Tens of thousands of people living unhoused and unsheltered, in makeshift encampments on our sidewalks, under our bridges, and in our parks, is inhumane and intolerable. More than a 1000 unhoused people dying on our streets each year is shameful and barbaric.

People should not be living in encampments throughout Los Angeles, and it would be reasonable to prohibit sleeping and lying on our sidewalks -- if genuine alternatives were truly available and accessible. But they are not.

It is imperative that the City restore and maintain public use of the public rights of way, but it will never be able to do so legally or adequately without providing the housing, shelter and services to facilitate the transition of unhoused residents from the streets. To do so would require the following:.

***Identified, tangible, and existing housing resources.*** The City cannot base policy on an assumed, projected, or hoped for inventory of housing and shelter. Many existing shelter resources are at capacity, or have restrictions that prohibit walk-ins, or limit access to individuals from nearby neighborhoods. The housing resource that is offered must be available immediately and long enough to provide assistance in developing a long-term housing plan.

***A commitment to appropriate housing placements.*** A “one size fits all” offer of shelter is a demonstrated, proven failure. A woman fleeing domestic violence should not be placed in co-ed facilities. Transition-aged youth or families with children should not be placed in facilities that are predominantly used by single adults. People accepting housing or shelter should not be required to sacrifice their belongings or pets, or be separated from family members.

***A real-time, accessible database of available housing and shelter.*** The lack of such a system makes it virtually impossible for city, county, or LAHSA employees to make a significant number of offers on the streets of same-day housing, shelter or services.

***A commitment that housing, shelter or services will be offered by caseworkers.*** Any offer of services should be made by caseworkers who can make appropriate placements, and not by sworn officers. In Orange County, the protocol established with the input of unhoused residents and their advocates, under the direction of U.S. District Court Judge David O. Carter, requires housing and shelter placements be made after consultation with outreach professionals and after proper clinical assessments have been made to determine appropriate placements.

***A commitment that housing, shelter and services will be provided, not merely offered.*** The City cannot simply “offer” a resource. It must provide transportation and

actual placement. In Orange County, appropriate placements consider an individual's ability to access medical appointments, outpatient programs, work and other support systems, and includes transportation to and from such services

Rather than repeatedly revisiting and trying unworkable and legally questionable enforcement proposals, the City must make significant and expanded efforts to actually help transition people out of encampments and into housing, shelter and service

**I THEREFORE MOVE** that the City Council instruct the City Attorney to detail what steps need to be taken, and by which agency, body, or person, to begin commandeering hotels and motels for use as homeless housing, and report back to the Council within 10 days.

**I FURTHER MOVE** that the City Council direct the Los Angeles Homeless Services Authority, in consultation with the City Administrative Officer, develop a plan for a significant expansion of Encampment to Homes programs, coupled with a significantly scaled-up City of Los Angeles Master Leasing program. Such programs could use a coordinated, concentrated, services-based approach to rapidly house residents of an entire encampment simultaneously, through readily available master leased units. The report should include cost and staffing estimates, and consider federal grants, COVID relief funds, state and County assistance, and reprogramming from other efforts that do not result in the rapid housing of unhoused individuals.

**I FURTHER MOVE** that the City Council request that the Los Angeles Homeless Services Authority detail, within 10 days, what is prohibiting the development and use of a broadly accessible app that would provide real-time information on available housing and shelter beds and how to access them, and detail resources required to develop it and make it available.

**I FURTHER MOVE** that the City Council request that U.S. District Court Judge David O. Carter facilitate a settlement agreement between the City of Los Angeles, County of Los Angeles, unhoused residents and their advocates, the Alliance for Human Rights, and other parties as appropriate, similar to the settlement agreement he brokered in *Orange County Catholic Worker, et al, vs. Orange County, City of Costa Mesa, City of Anaheim & City of Orange*, which led to the housing of thousands of unhoused residents and left public rights of way free of encampments without a single arrest.

Presented by:

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Seconded by:

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