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Dear Community Stakeholders:

The Planning Department recently initiated a long-term effort to amend and improve the City's 64 year old Zoning Code. Hundreds of amendments over the years have created a very large document filled with cross referencing, contradictions, and antiquated language. Our goal is to make the Code more easily understandable, while offering innovative planning tools.

The first two revisions are the Community Plan Implementation Overlay (CPIO) ordinance, which allows for tailored regulations to target neighborhood character within individual Community Plans and the Core Findings ordinance, which consolidates and standardizes many required findings for discretionary approvals. These ordinances will foster better planning by improving project predictability, demystifying code language, and providing additional neighborhood protections.

In light of specific concerns regarding these two ordinances, the Planning Department has prepared a fact sheet "Myths and Facts about the Planning Department's Recent Initiatives" to clarify misconceptions about what these ordinances will and won't do.

Sincerely,

MICHAEL J. LOGRANDE  
Director of Planning

ML:AB:TR

Attachment: *Myths and Facts about the Planning Department's Recent Initiatives*

## MYTHS AND FACTS ABOUT THE PLANNING DEPARTMENT'S RECENT INITIATIVES:

### Introduction

In an effort to create a contemporary, 21<sup>st</sup> Century Zoning Code for the City of Los Angeles, the Department of City Planning has over recent years identified targeted improvements that will facilitate better context-sensitive planning, a more transparent entitlement process, and foster implementable long-range Community Plans. Two examples of such code amendments include the recently adopted Community Plan Implementation Ordinance, which allows for tailored regulations within individual neighborhoods and the proposed Core Findings Ordinance, which consolidates and standardizes many required findings for discretionary approvals. Findings are mandatory considerations that must be made in writing when determining if an entitlement application should be approved or denied.

At present, the Zoning Code is comprised of patchwork amendments that have over time resulted in convoluted and often redundant processes. The amendments proposed will move the Code toward a more simplified, user-friendly document without sacrificing opportunities for public input. Recently, there have been a few misconceptions about the nature of these ordinances. This handout serves to clarify the initiatives, point-by-point.

**MYTH #1: The ordinances will give the Planning Department free reign and short-cut the public process.**

**FACT:**

The Code reform efforts underway will make land use processes more transparent and easier for the public to participate. None of the Code Amendments would present an opportunity to shortcut the required public process. For example, future Community Plan Implementation Overlay districts must each be developed with substantial community input through a public process involving multiple public workshops and hearings. Once a district is in place, the community will have rules they can count on. Projects that would otherwise be built 'by-right' without being subject to Planning Department review would now receive a second level of review by the Planning Department, giving communities an additional safeguard. Also, the revised findings will not lessen the ability of stakeholders to participate in the public process nor eliminate any criteria that protects the citizenry from inappropriate land uses.

**MYTH #2: The new ordinances will make it easier for the Planning Department at its sole discretion to approve larger buildings.**

**FACT:**

The new ordinances cannot be used to approve larger, taller, or more massive buildings than are otherwise allowed by a property's zone. These ordinances will not, in any way, circumvent Zoning Code requirements and standards now on the books.



On the contrary, the new Community Plan Implementation Overlay offers better neighborhood protection by treating neighborhoods or corridors individually and responding to community concerns about the scale, size and character of development. This new zoning tool will allow communities to engage in a public process to create special zoning districts that can benefit their communities in a variety of ways including:

- Restricting the size, shape, and bulk of new buildings to make them more compatible with existing buildings
- Requiring that residential developments include more than the minimum Code-required open space, through increased set-backs, landscaping and amenities, to make communities more livable
- Prohibiting incompatible uses such as auto-repair, check cashing stores, and other uses that have the potential for disrupting quality of life
- Placing limits on the size, number, and placement of signs to reduce sign clutter and improve the physical appearance of commercial areas

Similarly, the Core Findings ordinance will provide more easily-understandable, consistent findings which better-articulate neighborhood protections and require evidence of neighborhood compatibility for new projects to be approved.

**MYTH #3: All Specific Plans in the City will lose protections.**

**FACT:**

The Core Findings ordinance will not lessen Specific Plan protections. None of the ordinances will delete existing protections or procedures in place. All existing procedures for project permit applications, deviations from Specific Plan regulations, and public notification will remain intact. Community Plan Implementation Overlays will not replace existing, adopted Specific Plan districts. Rather, the CPIO should be seen as another optional zoning tool for neighborhoods that currently lack a special zoning district that require protections beyond the basic Zoning Code regulations.

**MYTH #4: The Planning Department will abuse the Administrative Clearance process.**

**FACT:**

The CPIO ordinance is a new type of overlay intended for areas of the City that are not currently covered by a Specific Plan, Community Design Overlay, Historic District, or other type of special design district. Without a special district, most neighborhoods in the City are only subject to basic Citywide zoning regulations, which do not require architectural design or neighborhood compatibility for projects that can be built by-right (i.e reviewed only by the Department of Building and Safety). The CPIO ordinance introduces an additional check for projects that comply 100 percent with the regulations in a CPIO district. In this review, the Department of Building and Safety and Planning staff will confirm that a project meets ALL requirements in a special district. If a project does not comply with ALL regulations, the application will be denied for an Administrative Clearance and the Neighborhood Council will be



notified should the applicant request any form of relief from the regulations. The ultimate decision can always be appealed.

**Myth #5: These ordinances were developed behind closed doors with little opportunity for public input.**

**FACT:**

In light of a growing work program, the Planning Department has initiated these key proposals to amend parts of the Zoning Code in order to improve efficiencies in the application procedures and project administration, while at the same time, advancing our efforts to create an inclusive public process. The Community Plan Implementation Ordinance, for example, grew out of the New Community Plan program when it became clear that many communities desire additional design protections. The CPIO ordinance was conceived as a way of providing additional protections without the tremendous staffing demands of other types of zoning districts. This would ensure that Community Plan policies and programs can be implemented swiftly and in a way that incentivizes projects to comply with regulations outright.

When the CPIO tool was presented at a publicly noticed workshop on March 19, 2009, the audience was in general support of the proposal. When the CPIO tool came before the City Planning Commission, two speakers spoke in favor of the ordinance. Many communities currently undergoing a Community Plan update are eager to use this tool to meet their neighborhood's needs. In these communities, where Community Plans are currently being updated, Planners are working collaboratively with community stakeholders to identify neighborhood issues and concerns through a series of public workshops. This new ordinance provides one additional tool in the Zoning Code aimed at protecting neighborhood character by establishing regulations that are tailored to individual communities where concerns have been expressed.

**MYTH #6: Projects will be able to be built without an Environmental Impact Report (EIR).**

**FACT:**

All discretionary actions must comply with the California Environmental Quality Act (CEQA). None of the proposed initiatives will override CEQA. As is the current practice, EIRs will still be required on significant projects exceeding certain environmental thresholds. Similar to Specific Plans and other types of Overlay Districts in the Los Angeles Municipal Code, the requirements of a CPIO District will be IN ADDITION to the regulations of the underlying residential, commercial, or industrial zone. The California Environmental Quality Act thresholds used in determining the appropriate level of environmental review (i.e. Negative Declaration, Mitigated Negative Declaration, or EIR) will be unchanged. Projects in overlay districts actually receive increased environmental review as compared to by-right projects reviewed solely by the Department of Building and Safety. All projects within future CPIO districts will be subject to California Environmental Quality Act requirements and the City's adopted thresholds of significance. None of the proposed ordinances could directly or indirectly weaken the level of environmental review.



**MYTH #7: Community Plan Implementation Overlay districts will roll over existing regulations in Community Plans and will be adopted in lieu of new or updated Community Plans.**

**FACT:**

As the name of the ordinance suggests, Community Plan Implementation Overlay districts will implement the goals and policies of adopted Community Plans and will not be adopted in lieu of updating the City's 35 Community Plans. When special zoning districts are established they support and strengthen the effectiveness of Community Plans, which provide the blueprint and vision for each of the City's communities.

In fact, for Community Plan policies dealing with neighborhood character and compatibility to be implemented effectively and consistently, establishing neighborhood-specific zoning requirements can ensure that Community Plans policies about neighborhood compatibility are carried out on new buildings. Basic zones in the Los Angeles Municipal Code are limited when it comes to approaching neighborhood-specific concerns. This is why tools like CPIOs, Specific Plans, Community Design Overlays and Pedestrian-Oriented Districts – normally adopted shortly after a Community Plan is updated - are necessary to drill down to important context-sensitive design and compatibility issues at the neighborhood level.

For more information about these ordinances, please contact Michelle Sorkin or Tom Rothmann:

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