



LA Neighbors United Files Suit Against the City of Los Angeles to Halt Implementation of New Zoning Ordinance

- *Ordinance Creates New Districts Where 20% Development Bonuses Effectively Become By-Right*
- *More Density, Less Parking, Less Open Space for Los Angeles, Including Single-Family Residential Neighborhoods*
- *A “Trojan Horse” That Threatens Established Community Plans*

Statement of Cary Brazeman, founder of the community group LA Neighbors United December 9, 2010

“Today LA Neighbors United filed suit in Los Angeles County Superior Court to halt implementation of the City’s new Community Plan Implementation Overlay District Ordinance.

“The City did no meaningful review of the impacts of the ordinance, nor did they fully inform the people of Los Angeles about its implications.

“The ordinance was passed illegally ... no one should depend on these districts or seek approval for them unless or until the full extent of the ordinance’s impacts become known.

“To put the issue in perspective, the City of Los Angeles is woefully behind in the process of updating Community Plans across the City. There are 35 Community Plan areas. Comprehensive Community Plans help ensure that population, land uses, zoning, infrastructure and amenities are sufficient and aligned.

“Rather than dedicate resources to accelerate plan updates, the City has cynically chosen to create an end-run around real planning.

“The CPIO District Ordinance is a Trojan Horse.

“The City maintains that the ordinance is necessary to effect street-level planning, but the tools already exist to do that.

“The real reason for these districts is to create a mechanism to effectively rezone or upzone areas without the benefit of a holistic Community Plan update, which includes a high level of public participation and environmental review.

“We are afraid that the ordinance, if it is allowed to stand, will mark the beginning of the end of real community planning in Los Angeles. Slicing and dicing Community Plan areas into hundreds of overlay districts to expedite approvals is not comprehensive planning.

“How is the City going to monitor and mitigate the impacts of all of these new districts? We are told they will figure it out as they go.

“How is the community going to be able to evaluate multiple districts that might be created in a general area, and weigh in on their potential impacts, including relative to each other? They won’t be able to.

“What will be the collective impact on our City of these districts that allow development that is 20% or more intense and dense across the board? We don’t know.

- The ordinance does not target the location of these new districts in any way, such as around fixed-transit nodes. The ordinance allows intensified development districts, with more density, less parking and less open space, everywhere in the City.
- The ordinance introduces a new administrative clearance process for project approval in these districts. The Zoning Administrator will be able to approve, at their own discretion with no public hearings, development bonuses of 10-20 percent for every project, making bigger projects by-right.
- In these new districts, variances no longer will be required for significant deviations from underlying zoning. Only exceptions, with lower thresholds for approval, will be required to build larger nonconforming projects.
- The new districts can be as small as one parcel. This is an invitation for spot zoning and political corruption. Why would a property owner pursue a zoning variance if he can simply request that his site be designated a special district, and then build whatever he wants through adjustments and exceptions?

“Clearly, this ordinance is not needed and has the potential to be terribly destructive. It is equally clear that our Mayor needs some help focusing the City’s efforts as Los Angeles stands at a crossroads in planning for the twenty-first century.

“To this end, we will soon offer a roadmap for neighborhood protection, planning and development reform in the City of Los Angeles. First among our recommendations will be to commit the City to a 10-year cycle of comprehensive Community Plan updates, with a fully staffed City Planning Department leading the way.

“Sadly, our Department of City Planning has devolved to become the Department of Case Processing. We appreciate the Mayor’s focus on economic development, but not at the expense of real planning. To preserve and enhance what’s best about Los Angeles, and to ensure the City’s long-term sustainability, we must do both.

“Finally, to those who think we citizens are cynical for not trusting the Mayor and his appointees to do the right thing by this far-reaching ordinance, I say simply this: The Mayor has given us good reason to be cynical. There’s no better evidence than the City’s density-bonus ordinance, which makes no effort (zippo) to target density based on infrastructure including transportation ... no effort (zippo) to ensure project designs are compatible with neighboring properties ... and no penalties (zippo) to ensure the community benefit (the affordable housing) is actually delivered. It is a one-size-fits-all development incentive from a Mayor who had a chance to implement real inclusionary housing in his first term, but reneged on his campaign promise. Odds are this ordinance will be used exactly the same way: As a one-size-fits-all development incentive to create high-density, low-parking, reduced open-space districts with little or no community benefit for the people of Los Angeles.”