



## **Lincoln Heights Neighborhood Council**

3516 North Broadway

Los Angeles, CA 90031

FACEBOOK: "[www.facebook.com/LHNCLA31](https://www.facebook.com/LHNCLA31)"

WEB: "[www.LincolnHeightsNC.org](http://www.LincolnHeightsNC.org)"

SARA CLENDENING, President; BEN WADSWORTH, Vice President;  
FERNANDA SANCHEZ, Secretary; MARY LEGIER BIEDERMAN, Treasurer



May \_\_, 2021

### **VIA UPLOAD ONLY**

Honorable City Council  
c/o Office of the City Clerk  
Los Angeles City Hall  
200 North Spring Street, Room 395  
Los Angeles, CA 90012

The Lincoln Heights Neighborhood Council (LHNC) requests that the following Community Impact Statement be attached/added to Council File: 12-0460-S4 A proposed Ordinance (Exhibit A) amending Chapter 1 and adding Chapter 1A to the Los Angeles:

The Lincoln Heights Neighborhood Council OPPOSES that the City Council determine, based on the whole of the administrative record, that the proposed ordinance is not a project under CEQA pursuant to Section 15378(b)(5) of the California Public Resource Code and is exempt from CEQA pursuant to Section 15061(b)(3) of the California Public Resource Code and CEQA Guidelines, Section 15308 (Class 8); 2. Approve and recommend that the City Council adopt the proposed Ordinance (Exhibit A)

### **COMMUNITY IMPACT STATEMENT**

The LHNC opposes the Council File because: The proposed Ordinance only requires that NCs be notified of public hearings. The Ordinance must add language to codify the Early Notification System. The Ordinance must require that NCs are notified of plan applications for projects in their area. The Charter makes it clear that NCs are to have a voice in issues of concern to their community.

NCs have historically been apprised of issues related to land use, have acted as a vital forum where the community can present input, and have communicated recommendations to City Planning. Because it currently only requires notification of public hearings, the Ordinance thwarts public input and violates due process.

The proposed Ordinance allows developers to obtain “adjustments” through a streamlined process that involves only a decision by the Director of Planning. There is no clear definition of what constitutes an “adjustment”, which opens the door to incremental changes that could significantly alter the original project.

BOARD MEMBERS: BUSINESS REPRESENTATIVES: William Rodriguez Morrison, Nancy Soto, vacant;

COMMUNITY BASED ORGANIZATION REPRESENTATIVES vacant, Benny Madera, vacant,

YOUTH REPRESENTATIVE: Erika Xu;

AREA REPRESENTATIVES: Richard W. Larsen, Annalee J. Harr, Melanie Bellomo Shifflett, Vicente Gonzalez-Reyes Jr.;

Armida Marrufo, Victor Azanedo, Diego Zapata, vacant, vacant, Richard Ortiz,

Steve Lucero, Lena Ruiz, Selena Ortega, Vincent “Chente” Montalvo.

Also, because decision-making power under the Ordinance is given to the Director rather than a Zoning Administrator, there is no requirement for notice, process or a public hearing for these “adjustments”. Because the Ordinance currently only requires notice of public hearings, this seems to be a deliberate attempt to remove NCs and citizens in general from the decision-making process.

If notice is only required for public hearings, and the Director is authorized to make decisions with no hearing, this enables applicants to make substantial modifications to a project with absolutely no requirement that the public be informed of the changes and no opportunity for the community to be heard. Not only does this thwart public input and violate due process, it is clearly anti-democratic.

The Ordinance expands the power of the CPC, giving it the authority to make decisions on CUPs, HPOZs and other actions. This language must be removed. The CPC is an unelected body and its function should be to review and make recommendations to elected officials. Final decisions on these matters must be made by elected officials who are accountable to the public.

The proposed Ordinance does not clearly define the terms “adjustment” and “project adjustment”. The latter is said to involve “minor” deviations from a Specific Plan, but the Ordinance does not define the term “minor” with respect to these decisions. Also, the Ordinance does not specify any limitations on cumulative changes, meaning a project that originally received ministerial approval could evolve into a larger project that should be discretionary with no requirements for public notice.

The Ordinance allows vaguely defined modifications to a project to be made by bureaucrats with no required public process. The term “alternative compliance” does not exist in the LAMC, and is not defined in the Ordinance. It must be deleted.

All of the following terms need to be clearly defined and the approval processes clearly outlined in the Ordinance:

- Specific Plan Exceptions
- Project Review
- Adjustments
- Project Adjustments
- Modification of Entitlement
- Project Exceptions

This Community Impact Statement is based on the action taken at the special Board of Directors meeting on May \_\_, 2021, when the Lincoln Heights Neighborhood Council adopted the following motion by a vote of ~~XX~~ yes, ~~X~~ no, ~~X~~ abstaining and directed that a Community Impact Statement be filed reflecting its position.

Motion: “The Lincoln Heights Neighborhood Council urges the City Council to reject the proposal.”

Sincerely,

*/s/ Richard Larsen*

Richard Larsen, Chair Planning and Land Use Committee  
Lincoln Heights Neighborhood Council