

Topic: Planning MOU Process 2nd meeting

Date/Location: 10/21/05 at Braude Center, Van Nuys

Participants: Ken Draper, Jeff Jacobberger, Rusty Millar, Robert and Jacque Lamishaw, and Jon Perica (of LA City Planning and here for informal guidance)

Observer: Mark Elliot

This meeting is the second for this core group in the creation of a memorandum of understanding between Los Angeles neighborhood councils and the Department of City Planning. Following the success of the process that produced a written agreement between neighborhood councils and the Department of Water and Power, signed in early 2005, this effort builds upon the DWP process by adapting the DWP MOU text to the Department of City Planning context. This meeting was dedicated to reviewing that text line by line with a former department official as an acting advisor.

The discussion opened by addressing the need to have a department official present “early – not later as a *fait accomplis*, Robert Lamishaw said. They needed a senior official to parallel the role that Jerry Gewe played in the DWP MOU discussions – present from the beginning. There was some agreement that some officials in the department may be less conducive regarding an agreement with the neighborhoods. Mark Winogrand was mentioned as a good choice. Brady asked whether someone from the CRA should be present, noting, “There’s somebody there with a long history,” but there was no decision made.

The review of the document highlighted some of the differences between the broad-based mission of the DWP and the nature of planning, falling as it does into long-range policy formulation (plan-making and updating) and project-by-project application review. These are both issues of concern to neighborhoods, and are interrelated.

There is the issue of having a functional community liaison for neighborhoods – the go-to person when there is a question about a specific problem. It was noted that each neighborhood has access (in theory) to a department representative assigned to their community plan area (35 in total), but could these provide project-level communication? Ken Draper asked if (like DWP) there were other issues beyond development that the community should be able to access a liaison to address. Robert replied, “There are the community plan updates – and long-term planning, in theory.” He suggested that liaisons could help facilitate communications in terms of policy, such as conditional use restrictions, which may emerge as legislation at the City Council level. “But it should [first] go back to NCs as a proposal – and that’s where the liaisons come in.” This highlighted the issue of how neighborhoods could participate in proactive planning processes while also keeping abreast of project-level activity.

Regarding project-by-project application review, which may be of more immediate interest to neighborhoods, the significant issues appeared to be effective, timely, and useful notification. “We don’t get any specific notice,” Jacque said. “Now, the Planning staff is directed to notify an NC person within 72 hours.” But there was agreement that this notification is not effective. Jeff Jacobberger said of certain cases concerning large projects with significant ancillary (e.g., traffic) impacts, “The case may not get filed until the end [of a lengthy proposal process], then all of a sudden it’s moving too fast...this is about the process of notification.” There was also recognition of the need to provide Planning with contact names within 15 days of changes to NCs boards. Jacque suggested that NC contact names be included in the case application file.

Notification was deemed significant as a potential tripping point for applicants, and Robert agreed that providing correct contact info for NCs should be a Planning responsibility to avoid an applicant being blamed for improper notification, given outdated information – or inaccessible information.

More important, perhaps, is the need for information regarding the components of a development application, and how to coordinate across departments to get that to NCs. “If I don’t think that the developer’s traffic review is appropriate, I go to my liaison?” Robert replied that the liaison could set up contact with the DOT, or with engineering or environmental departments. “You may not know who they are, but the liaison could act as an advisor.” Currently, zoning administrator or hearing examiner assignment to application (cases) happens only two-weeks ahead, and this makes it difficult for neighborhoods to know who to contact to discuss the case – to be “guided through the labyrinth” of department(s) involvement in a case.

Some projects that are not discretionary are Building and Safety Department matters, Jon said. Such processes, including demolition permit applications (to B&S) were of interest to neighborhoods too, people agreed.

There is also the issue of communications within the department. The role of the ZA is as a “traffic cop” for the department, but he or she is limited by rules governing communication. Yet there was no clear understanding if NCs particular status as arms of city government distinguished them (for example) from homeowner associations or other interested parties seeking information. The local nature of development, Ken suggested, necessitated the effective use of liaisons for neighborhoods. Brady suggested some measure of department opacity in the process. “People aren’t sophisticated – they just don’t know what to do,” he said.

What happens if people from the neighborhood begin peppering liaisons with individual requests for information? Should requests be focused by the NC planning committee or the board? “Encourage them to work through the NC,” Robert said. “Liaisons should not be responsible to individual constituents.” At the same time, the NC point-person needs to be responsible to individual constituents. “Will you shepherd my problem,” Rusty Millar said, “if I don’t like the answer from Planning?” There was agreement on this, but a question remained about how educated the NC contact person needed to be to handle issues that arise. “In my NC, I get them a [contact] phone number, and I follow up,” Ken said, but suggested that’s not entirely satisfactory. “We’re not mandating how individual NCs deal internally, but only the interface” between the NC and the department. “It’s up to NCs to educate their stakeholders,” Jacque said. “Go to the hearing.”

One of the more important issues concerned not only the requirement of applicants and the department to notify neighborhoods, but the ability of neighborhoods to handle this information – including changes to applications. Should NCs get a complete set of plans for every application? Robert suggested that the cost to applicants would be too high – and the burden on individuals in the neighborhoods too great. “NCs may say, ‘Send everything,’ but they’ll be swamped.” He suggested a package of introduction to a project application that would not be too burdensome for either the developer or the neighborhood. “Not a complete set of plans, but a cover of the application, including the case number and a plot plan or a floor plan, and then ask neighborhoods, ‘Are you interested to talk to us?’”

There was concern that the ‘wheat’ of the important stuff will get lost in the ‘chaff’ of fence applications, or that some project notifications will get lost “after the fix is in with the City Council office,” as one participant said. Problems with notification were discussed, and the limitations of a “huge bureaucracy that’s never been consumer-friendly” in terms of providing timely information in usable form. “Planning has always been 5-7 years behind the curve in its level of service,” Jon said. But they are limited, too, in their resources, and overstretched for their staffing. Jon said that Planning will define what they can do as a department in terms of providing education and resources, and perhaps suggest where the current problems lay: inadequate staffing, budgetary limitations, etc.