

MOTION

Limiting Unilateral Influence in Development Decisions

The Los Angeles City Charter prescribes the roles and responsibilities of the Mayor, the City Council and the appointed Commissions and Boards which serve to shape and guide the decisions of both the legislative and executive branches of the City.

One of the primary responsibilities of a City is land use decisions. In the City of Los Angeles, land use powers ultimately reside with the City Planning Commissions and the City Council. These bodies together draft ordinances, set zoning for each parcel, decide outcomes of complex projects, hear land use and CEQA appeals and approve updates to each Community Plan and Elements of the General Plan.

Appeals on City Planning decisions are taken to the Area Planning Commissions and the City Planning Commission. Under Section 245 of the City Charter, the City Council maintains a check over all Commission decisions in the form of veto authority. However, the City Council is granted an additional authority pertaining to Planning Commissions and planning related decisions under Subsection (e) which reads:

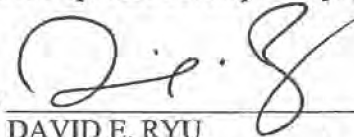
"The Council shall not be limited to veto of actions of the City Planning Commission or Area Planning Commissions, but, subject to the time limits and other limitations of this section, after voting to bring the matter before it, shall have the same authority to act on a matter as that originally held by the City Planning Commission or Area Planning Commission."

This subsection of the Charter gives each City Councilmember immense land use control over the cases within their respective districts. While this authority is rarely used and actions taken using 245 (e) are made publicly, behind closed doors the option is too vulnerable to misuse.

I THEREFORE MOVE that the City Attorney be REQUESTED to prepare and present the necessary documents to place a ballot measure on the November 2020 election ballot to remove Subsection (e) of Section 245 of the City Charter to eliminate the ability for the City Council to overwrite the actions of planning commissions and instead align the City Council's oversight of planning commission decisions with the authority and process in place for all other city commissions.

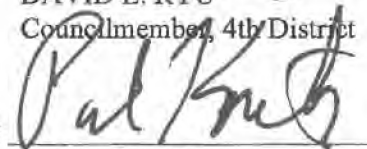
I FURTHER MOVE that the Chief Legislative Analyst, with assistance from the Department of City Planning and Department of Building and Safety, be instructed to report back to the City Council with recommendations on procedures, processes, and code sections that should be amended to limit opportunities for corruption and reduce the discretionary land use powers exercised by the City Council for individual site-specific development projects.

PRESENTED BY:


DAVID E. RYU

Councilmember, 4th District

SECONDED BY:


PAUL KORETZ

Councilmember, 5th District



MAY 19 2020

ORIGINAL