

## Land-use power eludes local panels

---

### Los Angeles City Council members have the final word on zoning and development.

By Steve Hymon, Los Angeles Times Staff Writer

January 2, 2008

The city of Los Angeles' experiment in grass-roots democracy -- its system of far-flung neighborhood councils -- is by many accounts at a crossroads nearly a decade after its birth.

Although some of the 89 locally elected councils can point to worthy community projects and slick websites, others have been branded as petty and bumbling. A city commission recently determined that the relationship between the small councils and City Hall must be "redefined and renewed." And the officials proposed 73 fixes to council rules in the City Charter.

Missing from that list was something many neighborhood councils have long sought: the ability to have a firm say in land-use decisions. Such authority is coveted because development projects determine the look of a neighborhood and have an effect on traffic. But just as important, it would also give the small councils greater legitimacy.

"It's very symbolic to us," said Jill Banks Barad, chairwoman of the Sherman Oaks Neighborhood Council. "If we're going to talk about real empowerment, then this is something we ought to be able to do."

She is hopeful that city officials will take up the issue this year, but knows it's no sure bet.

The Los Angeles City Council has for decades enjoyed enormous sway over development. Members have final say on both how land is zoned and which developments get built. That power is amplified because of an unwritten protocol among the 15 City Council members that discourages meddling in land-use decisions outside a member's own district.

Neighborhood councils were created as part of charter reform in 1999 to help counter the concentration of political power in City Hall. The councils began forming after 2001.

"The idea was, how do we give a neighborhood the same clout as the lobbyists that are literally motioning 'Come here' to council members" during meetings, said Councilwoman Janice Hahn, who was a member of one of the charter review commissions.

Neighborhood leaders felt they had gained a valuable advocate at City Hall early last year when Mayor Antonio Villaraigosa appointed USC civic engagement project director Carol Baker Tharp to direct the city's Neighborhood Empowerment department. But Tharp died of cancer in November.

Several reports issued in the last two years suggest that the councils are plagued by low participation, bureaucracy, poor oversight, infighting and contentious elections.

One, for example, included a laundry list of rancorous incidents, including this: "At an NC meeting, the Board President raised a gavel with intent to hit another Board member and the arm of the President was stopped by a Mayor's representative prior to blow being delivered."

Another downer view came on a widely circulated YouTube video of a meeting in which Sandy Brown, president of the Holmby-Westwood Property Owners Assn., spared no words for neighborhood council advocates in attendance.

"I believe the mayor and the city officials have you right where they want you," Brown said, adding that she felt that many neighborhood council members were voiceless, powerless, slow on the uptake and had not held city government responsible for its actions.

And thus, the problem is whether any kind of land-use power should be handed over to a neighborhood council system that many believe is sometimes dysfunctional. Even some neighborhood council members aren't sure they want that kind of power.

"As much as I think it would be great to be taken more seriously, I think land use will end up becoming the focus of one group or the other that at that time has taken over a neighborhood council board with as few as 100 votes," said Joseph Riser, a board member of the Arroyo Seco Neighborhood Council. "And there are so many other things that neighborhood councils can be doing."

Even in 1999, the city's elected charter reform commission refused to give neighborhood councils direct say over land-use decisions -- although it was a matter of considerable debate. Instead, five area planning commissions were created to oversee development across the city.

That didn't put the matter to rest. After an initial push from the Sherman Oaks Neighborhood Council, more than 30 other councils joined in asking for the right of appeal. Already such appeals can be made by city officials, homeowner associations and members of the public. But neighborhood councils are excluded -- meaning members can file appeals only as individuals.

At the request of two City Council members -- Wendy Greuel and Jack Weiss -- the city attorney this summer issued an opinion that such appeals would be legal. But the issue quickly drew opposition from business interests and developers, who argued it was giving too much power to a system that was intended to be only advisory and not actually make policy.

In the San Fernando Valley, "aggressive neighborhood councils often add significantly to developer costs and project delays," the Valley Industry and Commerce Assn. argued in a letter.

"This can result in shortfalls in housing production, impaired economic growth and the loss of new jobs."

Not all developers agree. Mott Smith, a developer in Los Angeles, said giving neighborhood councils a greater say in land use would be one way to increase participation.

"The No. 1 way to increase the public's trust in what city government does is put some real authority for projects in the hands of the direct stakeholders," Smith said. "And I've never seen a central government do a good job deciding what happens in neighborhoods."

In September, the city's Neighborhood Council Review Commission issued its recommended fixes for the neighborhood councils. But the right of appeal didn't make the cut.

"The staff recommendation was not to do it -- the argument was that it was a little too close to being decision-making on land use," said Raphael Sonenshein, the executive director of the commission and a political science professor at Cal State Fullerton.

Sonenshein said another way to extend the influence of the councils is to increase the number of people who participate.

It is far from clear that the council will go for the right of appeal. Greuel, for example, doesn't support it, citing the commission's recommended fixes. Other council members have been more ambivalent. Richard Alarcon, who chairs the council committee that oversees the neighborhood councils, said in a statement that he might be for giving the councils such power -- one day.

On the other hand, Councilman Dennis Zine supports such a move. But, Zine said, giving the right of appeal to the neighborhood councils would be tough.

"If this comes to the council," Zine said, "I think it will be a hard fight."

steve.hymon@latimes.com