

**Jane Ellison Usher**  
218 South Windsor Boulevard  
Los Angeles, California 90004  
Tel: (323) 938-3329  
Fax: (323) 938-3196  
jeusher@aol.com

December 8, 2008

Dear Mayor Villaraigosa:

Please accept my thanks, far beyond the pages of this letter, for entrusting me with the presidency of the Los Angeles City Planning Commission these past three years. As anyone who attended our meetings or my presentations can attest, I have delighted in every minute of this demanding ride. One year ago, as I delivered my annual update, you offered the smiling aside that I had engaged on more than all cylinders. Perhaps an understatement!

As we prepare for your second term of service to the City as our Mayor, please also accept my resignation from the Commission, effective at the close of the Commission meeting on December 11, 2008. I want you to have the benefit of fresh eyes as you continue to advance your missions of smart growth and elegant density. The good news is that we have made progress as a Commission, which I hope reflects only favorably on your leadership of Los Angeles. The unavoidable corollary is that much more remains to be accomplished.

I am proudest to leave behind our Do Real Planning principles, which the Commission authored as a comprehensive policy roadmap for the City. Other high points include the legislation that we championed, on topics as diverse as green building, mansionization, robotic parking, tenant relocation benefits, tree retention, alternative waste technology, hillside protection, affordable housing in our coastal zone, residential and commercial signage, and nuisance abatement. Beyond approving a record number of historic preservation zones and community design overlays, we completed the groundwork for citywide urban design guidelines and land use-sensitive street standards. We endorsed new or updated plans for a number of our hospitals, more than a dozen independent and charter schools, and two of our great universities. And, we forwarded a slate of transforming projects, including Grand Avenue, LA Live, Blossom Plaza, W Hollywood, Boulevard 6200, Sunset & Gordon, University Gateway, Constellation Park, and Westfield Century City, to name just a few.

With sincere apology, I leave behind a longer list of unfinished business. This is the nature of government, but it is also a testament to the difficulty of affecting real change on a Charter armored with such systemic resistance. I hope you will urge my successor to continue to press on the following fronts:

- **Mapping Elegant Density.** Thank you for inaugurating 10 transit-oriented developments, with 10 more to be named in the coming months. Our shared goal of growth through elegant density demands that we build vertically, but only in my view at major commercial or employment centers or within walking distance of locations where we have or will provide a substantial mass transit stop. We still need to update our Transportation Element to define these sites with precision, a controversial process because it requires us to identify land use winners and losers – an essential task that our government has shied from. Please reject any proposed update that relies on the careless, sprawl-inducing approach of adding density at every rapid bus stop; this would be unnecessarily hostile to many of our appropriately low-rise residential neighborhoods that also reside along our long, multi-faceted corridors. For a more nuanced approach that will help us create a truly connected transit system, I commend you to the state CEQA guidelines which define a major bus transit stop as the intersection of two or more heavily serviced bus lines.
- **Mixed Income Housing.** Again, thank you for supporting the development of a mandatory affordable housing requirement in Los Angeles. For both better and worse, 175 fellow California jurisdictions have already achieved this outcome, with varying degrees of success. We must build on their experience. What we cannot do is wait for the health of our real estate economy to be restored. During these past three heady years, the projects presented to the Commission featured more than 95% market-rate or decidedly upscale housing units. We missed a sea of affordable housing opportunities. The devil will be in the details of our ordinance, which must be judicious and which must mirror our elegant density locations, spreading mixed income housing to all commercial, employment, and transit-rich areas of the City.
- **Urban Design Guidelines and Street Standards.** The Commission beat this drum from the outset, but I will not be present to watch our work bear fruit. In order to transform our car-only culture to a mixed use, walkable City, we must ensure that our buildings and our roads are faithful partners. Gone should be the days when projects in Los Angeles looked more like automobile parking entrances and lots with a structure appended to them – think not only of our vast heritage of strip malls but also of our more contemporary developments where the shop or residential doors are all internal to the project and where the street frontage holds only turn lanes, traffic signals, and blank or advertising-filled walls. We need not and should not become the architectural police. Rather, we should offer guidelines that require every building and street to demonstrate how it enhances its surroundings.
- **Updating our Environmental Mitigations.** The City's environmental mitigation toolbox is stale; further, it is not integrated with the LEED point system that underlies our Green Building Ordinance. We exhaust developers and communities with our protracted environmental review process, but at the end of it, we propose to mitigate environmental damage with techniques that read like yesterday's news. Will you generate more cars? Build another traffic lane. Will you tear down mature trees? Plant new ones. Will you generate significant construction dust? Water twice daily. We need mitigation modern mitigation

measures, drawn perhaps from the LEED point system but additionally tailored to reflect and repair the environmental harms that are specific to our traffic-clogged, open-space-poor, and water-challenged region.

- **Appropriately Control Billboards and Other Visual Blight.** I leave it to my creative betters and ordinary folk to distinguish between visually-pleasing signage and blight. But while that conversation takes place, we must become serious about the time, place, and manner under which we will allow signage, the continued retention of above-ground electrical poles, and other intrusive forms of visual noise. The topic will not resolve without our disciplined action. What do we want to look like as a visual environment? What legacy will we leave our future residents? Where to start? We must begin by ending our current artifice: we have not enforced our billboard permit program or our billboard ban; our ban is threatened by interim legal rulings that criticize us for applying it a manner that is not even handed; we entered into radical closed-door settlements with four billboard firms that bypassed our zoning laws and will, unless retracted, forever change our visual future; we have adopted one block so-called “sign districts” in order to obtain droplets of fast cash; we define applications to switch static billboards to digital media “ministerial” acts that require no environmental or safety review; and we have a Commission proposed moratorium on all new signage until we can chart a smart path – but this moratorium is sitting idle, waiting for enactment. Given the insatiable appetite of the billboard industry for suing the City, we don’t have the luxury of inaction. The City is suffering in a host of courtrooms. And, we continue to provoke more litigation with every newly erected sign.
- **Completing 12 to 2.** Again, I wish to thank you for your leadership in recognizing and working to solve a real problem. I continue to hear this complaint more than any other from developers: the cost of both good and bad projects is escalated in Los Angeles by the way we pass applicants around for approvals from a dozen different departments. We persist in the unproductive habit of treating developers like children stuck in the middle of an endless game of keep-away. Though this task is not squarely on the plate of the Planning Commission, but rather has been delegated to the Planning Director, I would be remiss if I didn’t highlight its continuing importance in our achieving real planning in Los Angeles.
- **Honoring our Community Plans.** Our General Plan, its Elements, and the 35 supporting Community Plans form the constitution for zoning and land use in Los Angeles. Yet, we continue to be too free in our disregard for what they have to say. We treat every land owner’s application to change their terms as equally worthy, with no presumption that the underlying planning document got it right. Every city faces the dilemma of how to be responsibly fluid, because no city can update its land use constitution frequently enough to stay fully abreast of changing times. However, our Planning Department and City Council are excessively liberal in their analysis of requests for exception from our constitution. It is still the case that we routinely “plan” – that is to say, make significant alterations to our City – by these piecemeal exceptions rather than by honoring our constitution until its next scheduled update. This practice disenfranchises the affected community, whose residents cannot be the vigilantes that our regimen of constant and easy exceptions demands.

Mayor Antonio R. Villaraigosa

December 8, 2008

Page 4 of 4

Mr. Mayor, I am down to my final, dog-eared copy of Do Real Planning, which I attach with great sentiment, because it was prepared especially for you. These two sheets of paper bring to life most of my land use dreams for the City, and it would do me a great additional honor if you would choose to share them with the newest City Planning Commissioner. It could serve my successor as both a letter of welcome and transition. As for me, I look forward to answering your call the next time I can be of service.

Sincerely,

Jane Ellison Usher

Attachment: Do Real Planning (paper version and powerpoint slideshow)

cc: Robin Kramer, Chief of Staff to the Mayor  
Dan Grunfeld, Deputy Mayor for Policy  
Thomas A. Saenz, Legal Counsel to the Mayor  
The Honorable Eric Garcetti, City Council President  
S. Gail Goldberg, Director of Planning  
(My All-Time Favorite) Los Angeles City Planning Commissioners