

**Neighborhood Council of Westchester/Playa
NCWP Planning and Land Use Committee Agenda**

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Meeting Minutes (Approved)

Committee: Planning and Land Use Committee

Chairperson: Patricia Lyon

Meeting Date: Tuesday, March 19, 2018 - 6:30pm

Meeting Place: Westchester Senior Citizens Center / 8740 Lincoln Blvd, Westchester, CA 90045

Excused:

Present / Lyon, Smith, Gerez, Fox + Board visitors: Julie Ross, Naomi Walka

Absent / Excused: Oliver, Hellwig, Trimble, Voss

Item 1: Welcome and Introduction

Item 2: Minutes Review and Approval – for meeting on 19 February 2019

M/S Smith/Gerez

Vote: passed, unanimous voice vote.

Item 3: Public Comment on Non-Agenda Items (1)

John Butta, Resident - Flight Ave, near La Tijera

Issue: notice from SoCal Gas re positioning a 26' pole for data collection unit that reads meters electronically

Position: Opposing it's placemenet in neighborhood re sightlines, etc. and neighbors also oppose. Want to understand the process SoCal Gas conducted to select this location, their due diligence and why community input wasn't included.

Action / Lyon: Provided contact information for Butta.

Item 4: Informational / re:codeLA Presentation re Project Activities, Timeline, To-Date Completed Code

Background – re:code LA is a comprehensive revision of the City of Los Angeles' Zoning Code with the goal of simplification, modernization (easier to navigate), efficiency, and future adaptability due to a 'modular' code structure. This presentation will review first sections of zoning code to be completed as part of the re:code project.

Presenter:

- Tom Rothmann, Senior City Planner (213 978-1891, tom.rothmann@lacity.org)
- Jonathan Hershey, Senior Planner for West LA and Coastal Region. (213 978-1337, jonathan.hershey@Lacity.org)

Related Documents: PPT presentation given at meeting.

Presentation Notes:

- Current zoning system started in 1946 and never changed. Written to address post-WWII city with suburban layout. Many patches and overlays, very complex.
- New zoning code isn't implemented in NCWP geography until there's a Community Plan Update. Once NCWP area Community Plan Update is complete, every parcel within that geography will have the new zoning code(s) applied to it.
- First category of re:code zoning updates released to date related to R1 Variation Zones.
- Also working on streamlining the "Processes and Procedures" portion of LA's zoning code (getting from 100 process down to 50 or so.)

Public Comment: None.

Committee Discussion

Gerez / questions about learning Coastal Zones under Processes and Procedures and options to incorporate into the NCWP Updated Community Plan.

- Division 13.12 of the new code is where you'll find all of the Coastal requirements. Same system today as tomorrow.
- Jonathan Hershey working with Venice on their process to integrate Coastal Commission (and their "broad sense of land use control in those areas") with the Community Plan Update. Using the Venice process to work out how to the "bridge" strategy for local/State collaboration and control. Will pursue separate code amendments as required to get this to work in Venice, then the model can be applied to other coastal communities.
- Julie Ross noted PDR Specific Plan was Council approved due to the lack of a Local Coastal Plan; therefore, the PDR Specific Plan is the plan until the NCWP Community Plan Update + re:codeLA are updated.

Quon / I have a property in Venice was R3 and was downzoned to RW1 in the 1970s.

- "RW" refers to residential water ways (only present in Venice.)
- Both through Local Coast Program and Comm Plan Update re:code:LA trying to find appropriate translation of what that means.
- Noted there are some very special regulations for Venice that are unlike other parts of the City we have to address as we try to develop unique

Smith / You're going to apply things you're learning in Venice could be applied to Del Rey. Two completely different communities.

- Lessons that apply everywhere = how the City understands the Coastal Commission's view of land use, because their views are different from the City's.
- Goal: when re:codeLA creates definitions for any coastal community, doing so to better reflect the Coast Commission.
- Therefore, lessons learned in Venice will apply to Del Rey, Palisades, San Pedro, Wilmington.

Quon / When will Zimas see changes rolling out from re:code:LA (application of the new code to parcel information database)?

- New zoning won't become effective until NCWP updated Community Plan is filed.
- Zimas updated after that.

Gerez / Re accessory dwelling units (ADUs (assuming they'll be addressed as part of a variation for R1. What does that do when you effectively change an R1 to R2? Are they subject to rent stabilization?

- State law already requires Los Angeles to allow ADUs. Local ordinance a version of state law.
- Rent Stabilization Ordinance (RSO) restricted to those defined in 1970s.
- Lyon noted: While zoning may continue to refer to the parcel as R1, LA City Housing Office saying ADU is 2nd structure (R2) that has to be registered regardless of whether it's occupied by a non-paying family member or a rent-paying tenant. (Fees and registration are required.)
- In the situation of a duplex, owner can't sell each unit to different people. R1 with ADU, sold as a full parcel versus sold separately as 2 structures via R2. Official *zoning* will stay R1, officially one dwelling unit with an ADU: a primary dwelling unit and owner allowed construct an ADU unit.
- However, if parcel is in a multi-family zone, but is single family home today, that owner can build an ADU and—because of the over-riding multi-family zoning, that ADE can be considered separate (independent) space.

Committee Action: None taken.

Item 5: Discussion / Developer Project Screening Check List – Draft Review

Background: Second discussion by PLUC. Committee agreed to proposal that a master list of project screening issues and questions be developed, for the purpose of forwarding to developers preparing to present to PLUC. At 2019 February 19 PLUC meeting, Secretary received input. In this meeting revised draft to be presented and discussed.

Presenter: Committee Discussion

Related Documents: PLUC Project Screening Check List v2.0

Presentation Notes:

Goal: list created so all developers are treated the same, and new applicants know what to expect to be asked by the Committee. Hoping it makes presentations more efficient, effective.

Public Comment

Committee Discussion

Q: Where will this live?

A: Will follow the Planning file via Motion. The Committee would make a slight modification of its motion process: formulate the opinion and conditions with notice to include amendment of this form.

Committee Action: Motion to Support

M/S – Smith/Gerez

Vote: passed unanimously on voice vote.

Item 6: Discussion / TOC Projects and General Planning

Background: At present, the City is just one year into administering Transit-Oriented Community projects. Therefore, both the Planning Department and NCWP stakeholders are on a learning curve regarding the community impacts of such projects.

A TOC “hot spot” has been identified in the Reading & Ramsgate neighborhood, an important area of affordable housing within the NCWP geography. Multiple developers are moving aggressively to acquire parcels in that area, and other TOC “hot spots” are likely to emerge elsewhere.

The goal of this discussion: to explore the possibility of formulating a total-neighborhood-area planning approach, leveraging collaborative resources (NC + Bonin + Planning Department’s Matt Glesne) to mitigate potentially negative TOC-project impacts regarding availability of affordable housing, design coherence in the neighborhood, and questions of public safety and livability. Specifically, creating a master list of potential conditions and/or creative planning options on project elements not covered in the By-Right provisions of the new TOC ordinance.

Presenters: Committee members.

- Kimberly Fox re short-term: TOC Planning Working Committee
- Paula Gerez re long-term: TOC and Community Plan Update

Presentation Highlights:

- Short-term: form a working team (NC PLUC + CD11 Staff + Planning) to evaluate Reading/Ramsgate as a test scenario for better not-by-right application conditions to improve total outcome for that neighborhood (versus “planning by developers” ad hoc result).
- Long-term: Have an opportunity to modify NCWP TOC requirements in Community Plan.

Public Comment: None.

Committee Discussion

- Len Nguyen / CD11 Planning Deputy comment: Reading/Ramsgate “node” similar to what’s happening in Palms. “If you know it’s coming, you can plan for it.”
- Opportunity to look at things like landscaping, public safety standards, possibility of reciprocal multi-project collaboration on open space requirements (consolidated into public park for the area.)
- Question about accessing LA City Linkage Fees for funding to support improvements or amenities.

Committee Action: Chair request that Committee continues to consider proposal and submit edits. Possibility of formulating a motion at next PLUC meeting.

Item 7: Discussion / Support for CF 19-0002-S38 (related to CF 18-1226) regarding Opposition to SB 50

Background: The City Council, Planning Department, and Intergovernment Relations Committee have studied proposed SB50 and determined City of LA opposition to the bill. For PLUC discussion: in addition to opposition motion from NC Board (voted 2019 March 5), review possible additional action reinforcing support for Oppose SB50 Resolution pending in Committee (Rules, Elections and Intergovernmental Relations Committee).

Presenter: Kimberly Fox

- In addition to recent NCWP Board motion to oppose SB50 as draft law, also possible to vote to support LA City resolution to make LA's legislative agenda for City lobbyists in Sacramento to lobby for "no on SB50" position on behalf of the City Council & Mayor's office.
- A way of amplifying the previous NCWP Board position.

Related Documents: CF 19-0002-S38 [Resolution](#) & [Analyst Report](#) Docs

Public Comment: None.

Committee Discussion

- Vote by NCWP Board on this resolution gives Bonin support if the Resolution comes under attack while being debated by the City Council.
- Note the resolution was moving quickly through review downtown.
- Note of desire to modify 0.5 radius around transit stop to be measure by shortest actual walking path. In case of Reading/Ramsgate area, 0.5 radius translates to ~1 mile walk due to layout of streets.

Committee Action: Motion to Support

M/S – Smith/Gerez

Vote: unanimous approval on voice vote

Community Impact Statement Consideration: Motion to create CIS

M / S – Lyons/Gerez

Vote: unanimous approval on voice vote

Chair instructed secretary to draft CIS statement based on discussion.

Item 8: Discussion / Support for CF 19-0046 Regarding Developer Campaign Contribution Restrictions

Background: As a response to recent FBI investigation of Council member Huizar regarding campaign funding and unethical actions on behalf of developer interests, City Council has moved to request City Attorney, Chief Legislative Analyst and Ethics Committee study the issue and propose an ordinance update. To date, Community Impact Statements regarding this issue have been filed by 4 NCs: Hollywood Hills West, Hollywood United, Van Nuys and Central Hollywood.

Presenter: Committee Discussion

Related Documents: [Original Motion](#)

Public Comment: None.

Committee Discussion

- Frustration expressed about accountability (in general) re issues identified through proper channels, then no response or enforcement. See this update to campaign contributes coming as consequence of people in city government not playing by the rules.
- Support of this Council item as taking a stand for transparency in all aspects of governance throughout LA City system.

Committee Action: Motion to Support/Deny/Modify

M/S – Fox, Quon

Vote: unanimous approval on voice vote

Community Impact Statement consideration: Motion to create CIS

M/S – Fox, Quon

Vote: unanimous approval on voice vote

Chair instructed secretary to draft CIS statement based on discussion.

Item 9: Discussion / Planning Dept Quarterly Housing Progress Report

Background: In response to community requests for more Planning Department housing performance reporting, in 2018 the Department initiated quarterly reports. Discussion to review the most recent update: 2018-Q4 Housing Progress Report.

Presenter: Kimberly Fox

Related Documents: [2018 Q4 Housing Progress Report](#)

Public Comment: None.

Committee Discussion

- Big picture re housing for NCWP. Include in review of what the new Community Plan Update is formulated housing contribution since last Plan of Playa Vista, etc.
- Re Community Plan Update process, still awaiting NCWP’s “fair share” contribution to the larger LA housing additions.
- Len Nguyen / CD11 Planning Deputy comment: there will be an analysis for housing component based on land and jobs capacity. Especially focus on what was identified previously that hasn’t yet been developed (opportunities like this throughout the city.)
- Questions of what community resources— dry cleaner, flower shop, gym—go away with new density development. Must zone so these resources come back in and still service community.
- In Community Plan Update, important to state allowance of supporting small business.

Possible Committee Action: None taken. Committee to continue monitoring Community Plan update data provided to that Committee's Chair (Paula Gerez) to see what #-of-units NCWP is assigned.

Item 10: Discussion / Short Term Rentals Ordinance – Draft Vacation Home Policy (CF 18-1246)

Background: Upon City Council request, Planning Dept has developed a presentation regarding how the Short Term Rental Ordinance might be expanded to incorporate homes which are not primary residences. Planning Department has requested community and NC input by middle of April 2019.

Presenter: Committee Discussion

Related Documents: [Vacation Home Draft Policy from Planning Dept](#)

RE Second Home as Short-Term Rental (non-primary residence used partially throughout the year by the owner)

- Possible to approve if some mechanism defines what qualifies under this category.
- Lyon noted in recreational community (many 2nd homes), short term rental ordinance required notification to all homeowners within 500 ft + \$700 registration fee.
- Always a question re enforcement (who? Budget? How?)

RE Temporary Vacant Units (Units that are between long-term tenants)

- Not a practical category.
- Opens door to abuse of the STR ordinance limitations

RE Small Multi-Family Owner-Occupied Units (3-4 units, owner living in one unit as their primary residence)

- Some agreement this was supportable.
- Question: how to define "multi-unit owner-occupied"?

Public Comment

Pei Wang / Concerned about definitions in new proposed STR as current ordinance is restrictive of her situation. Lives in duplex with communicating area. Have created a short-term rental area for 2 years. Not allowed to rent at all. The other unit has a separate address, but doesn't know if this would count as "vacation home" under proposed ordinance.

Bill Ballerini / For single family home with 3 bedrooms, now you can only rent one listing per property. New ordinance creates income difficulty if using STR for income. Becomes a question of property rights and income potential. Currently the owner of an ADU, small 1100 sq ft house, ADU was 400 sq ft legacy that he's made legal. Next door to someone who does a whole home rental. My small lot, not RSO, unclear why that would be not allowable on Short Term Rental.

Helene Kaymen / Owns 1100 sq ft 3-bedroom single-family home as investment property. Currently lives in a townhouse, purchased single family home out of desire to have a vacation

home for vacation visitors and family visitors when they come to town. Also view this single-family home as their future retirement residence. Neighbors also renting the property for their guest visitors. No nuisance complaints. Got the business license, paid TOT long before AirBnb enforced it. Really tried to do the right thing. Feel that we're a neighborhood small business service, what they're doing is not creating negative impact.

Committee Discussion

- Planning just beginning to review this draft ordinance change.
- NCWP Board has time to review future drafts and weigh in with community position later in 2019.
- Smith / Only support STR when owner occupied and limited # of days.
- Lyon / Concern re impacts to hotel industry and quality of neighborhoods.

Possible Committee Action: None taken. Decision to delay motion, monitor ordinance drafting process with Planning, raise on future agenda for full consideration.

Item 11: Announcements

Next PLUC meetings

- April 16, 2019
- May 21, 2019
- June 25, 2019

Item 12: Meeting Adjourned

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