



# **Community Plan Update Fundamentals, Orientation**

Info for WPNC CPU Ad Hoc Committee - Nov 28, 2022

# Overview

- FAQ drafts
  - Process Oriented (5)
  - State Laws (6)
    - FAQs extracted from a Google Sheet (option to post URL?)
    - Laws ranked, relevance to CPU process specifically (High, Medium, Low)
    - FAQs created for High and Medium laws
- Draft Meeting Kick-Off Slides?
  - Goal: bring everyone to common basis for context

# Process Oriented FAQs

# Process Info FAQ 1

## CPU Plan Update Overview

(1 page)



HTN Article Info?

### What is the Community Plan Update?

- Results in Zoning Maps + Zoning Code Specs. It's specific land use and development standards within the Westchester-Playa del Rey area.
- Informs developers, residents re permitted what development (location and type)
- Other goals:
  - Identifies, provides for economic opportunities, maintenance of significant environmental resources.
  - Seeks to enhance the community identity and recognize the unique character of neighborhoods.

### How is it created?

- Developed collaboratively by LA Planning Dept with stakeholder input (community meetings, input from Neighborhood Council's CPU Ad Hoc Committee, direct stakeholder communication with Planning)
- Details of any Community Plan limited by State Law and Local Ordinance
- Final Plan defined and "owned" by the Los Angeles City Planning Department.
- Final Plan becomes part of LA's General Plan. Westchester-Playa's Plan is rolled up into General Plan as 1 of 5 plans representing the Westside (CD11).

### What is the current status of the Community Plan Update for Westchester/Playa?

- July 2020: City Planning Draft 1.0 of the Community Plan Update; held information sessions to inform stakeholders.
- 2021: City Planning solicited stakeholder feedback and compiled a summary of feedback re Draft 1 of the Community Plan.
- 2022: Planning currently working on Draft 2.0 the Community Plan update.
- 2023 (Second Half): Planning aims to release Draft 2.0
- *Note: All of the Westside Community Plan updates are being updated as a group.*

### What are the next steps?

- Currently, City Planning is working on Draft 2 of the Plan.
- 2023: Draft 2 released for public input. Community stakeholders input meetings held, after which EIR process will begin.
- 2024-2025: EIR development = ~one year to draft, another year to gather feedback and make amendments.
- 2025-2026 (?) The Westchester-Playa Community Plan is not finalized until City Council votes to approve. Feasible that it could take until 2025-2026 for the Plan to be fully adopted and implemented.

### How can you get involved?

- Sign-up for alerts and updates: [\[insert correct email here\]](#)
- Attend WPNC Community Plan Update Ad Hoc Committee meetings: held the last Monday of every month.
- Email comments directly to [planning.thewestside@lacity.org](mailto:planning.thewestside@lacity.org)

# Process Info FAQ 2 & 3 - RHNA & EIR (1 page each)

## WPNC Community Plan Update Ad Hoc Committee

### FAQ: How # of New Housing Development Targets are Assigned

#### It all starts with RHNA numbers...

- RHNA = Regional Housing Needs Assessment.
- State Law: mandates periodic process updating local housing elements of General Plan.
- RHNA study estimates housing needs per city, then requires local gov's to develop a Housing Element Plan to meet the identified need.
- Historically, local governments have repeatedly missed RHNA housing targets
  - Example: between 1980-2010, only 50% of the housing development target met.
  - Example: most local governments failed to zone for missing housing allocations.
- Result: State Laws enacted to force action at the local level.

#### What is SCAG and how does it work with RHNA?

- Southern California Association of Governments
- SCAG region = six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura), 191 cities, area of 38K+ square miles.
- Responsible for long-range regional planning (transportation, air quality, housing, etc)
- RHNA numbers are passed to SCAG; SCAG makes "official" [target housing development numbers](#) for each municipality.

#### Status of the RHNA housing assignment for Los Angeles

- 03/2020: RHNA Allocation Plan adopted at state level and officially assigned LA it's target new housing development numbers.
- 05/2021: [Planning Fair Share Report](#) notes only 14% of the City's affordable new development is happening in "High Opportunity (jobs, services) areas." Therefore, Housing Element will require majority of new housing be developed in these "high opp" areas, namely the Westside—including Westchester-Playa and the Valley.
- 11/2021: LA City Council adopted the 2021-2029 Housing Element of General Plan
- 04/2022: Housing Element targets adjusted
- 06/2022: updated Housing Element adopted by LA City Council
- 06/29/2022: State of California approved LA Housing Element

#### How do RHNA numbers assigned to Los Angeles impact the Westchester-Playa Community Plan Update process?

- Current LA Targets: 456,643 total new housing units, in these categories.
  - Very Low and Low: 184,721 new units
  - Moderate Income: 75,091 new units
  - Above Moderate Income: 196,831
- The Planning Department decision: majority of affordable housing zoned "high opportunity" areas (economic, services, etc)
- Therefore, most affordable housing is targeted by Planning for the Westside and the Valley.
- Targets for Westside Plan? Awaiting assignment from Planning.
- Targets for Westchester-Playa Plan? Awaiting assignment from Planning.

[Draft 1, 2022-11-25]

## WPNC Community Plan Update Ad Hoc Committee

### FAQ: EIR Impact on Community Plan Update

1

#### What is an EIR

- EIR = Environmental Impact Report
- Required to comply with National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).
- Analyzes, discloses project's potential negative environmental impacts (nature, human environment) then IDs mitigation measures and alternatives.
- Some impacts reviewed:
  - Air quality
  - Greenhouse gas emissions
  - Infrastructure
  - Traffic
  - Cultural and biological resources

#### When will the EIR associated with our updated Community Plan be drafted?

- 2024: EIR process to begin after Planning releases Draft 2.0 of the Westchester-Playa CP and confirms community feedback (expected to happen in 2023).

# Process Info FAQ 4

## LA Housing Element (of General Plan)

(4 pages)

WPNC Community Plan Update Ad Hoc Committee  
FAQ: LA 2021-2029 Housing Element Recap  
Context for Planning's Decision to Target Westside for Affordable Growth

1

LA has not been producing sufficient units of affordable housing, relative to the RHNA target # of new units.

Chart ES.4: RHNA Allocation by Income Level and Total Units to Date | 2014-2020



Falling behind on RHNA targets for new housing makes the challenge in this RHNA cycle much worse.

Table ES.1: Comparison of 6th vs. 5th Cycle RHNA Targets, by Income Level

Income Level	2013-2021 Target Units	2021-2029 Target Units
Very Low-Income (0-50% AMI)	20,426	115,978*
Low-Income (51-80% AMI)	12,435	68,743
Moderate-Income (81-120% AMI)	13,728	75,091
Above Moderate-Income (Over 120% AMI)	35,412	196,831
Total Units:	82,002	456,643

Per the 2021-2029 RHNA, the City needs to produce about 57,000 units per year in the of 16,700 units per year since 2014, indicating substantial

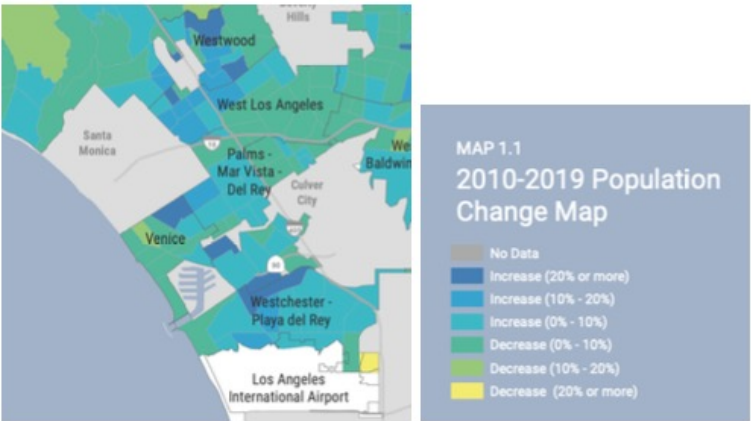
changes are needed to should be affordable to lower income households (80% AMI and below),

WPNC Community Plan Update Ad Hoc Committee  
FAQ: LA 2021-2029 Housing Element Recap

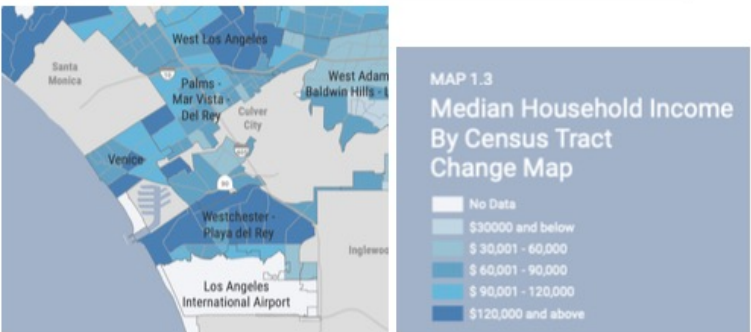
2

Context for Planning's Decision to Target Westside for Affordable Growth  
however the City has only been producing an average of 1,650 affordable units per year since 2014.

High growth projected for the Westside, largely due to "high opportunity" nature of the area (jobs, services, recreation, etc)



Further evidence of the Westside's "high opportunity" character: high household income.



WPNC Community Plan Update Ad Hoc Committee  
FAQ: LA 2021-2029 Housing Element Recap

3

Context for Planning's Decision to Target Westside for Affordable Growth

It's going to take aggressive housing zoning and development for Los Angeles to meet it's RHNA/SCAG housing accommodation targets.

Table 1.28: RHNA Targets and Progress for 5th and 6th Housing Element Cycles

Income Level	2014-2021 RHNA Goal*	2014-2020 Total Units Permitted	2014-2020 Average Units Permitted/	2021-2029 Draft Allocation	Units/Year Needed to Meet 21-29 RHNA	Annual Percentage Increase Needed
Very Low Income*	20,427	7,012	1,002	115,978	14,497	1347%
Low Income*	12,435	3,727	532	68,743	8,593	1514%
Moderate Income	13,728	827	118	74,091	9,261	7739%
Above Moderate Income	35,412	92,407	13,201	196,831	24,604	86%
Total	82,002	103,973	17,329	456,643	57,080	229%

Table 1.29: Quantified Objectives for New Construction vs. RHNA Goals

	Extremely Low Income*	Very Low Income*	Low Income	Moderate Income	Above Moderate Income	Total
New Construction	21,000	12,000	29,000	10,000	247,000	310,000
RHNA GOALS	57,989	57,989	68,743	75,091	196,831	456,643

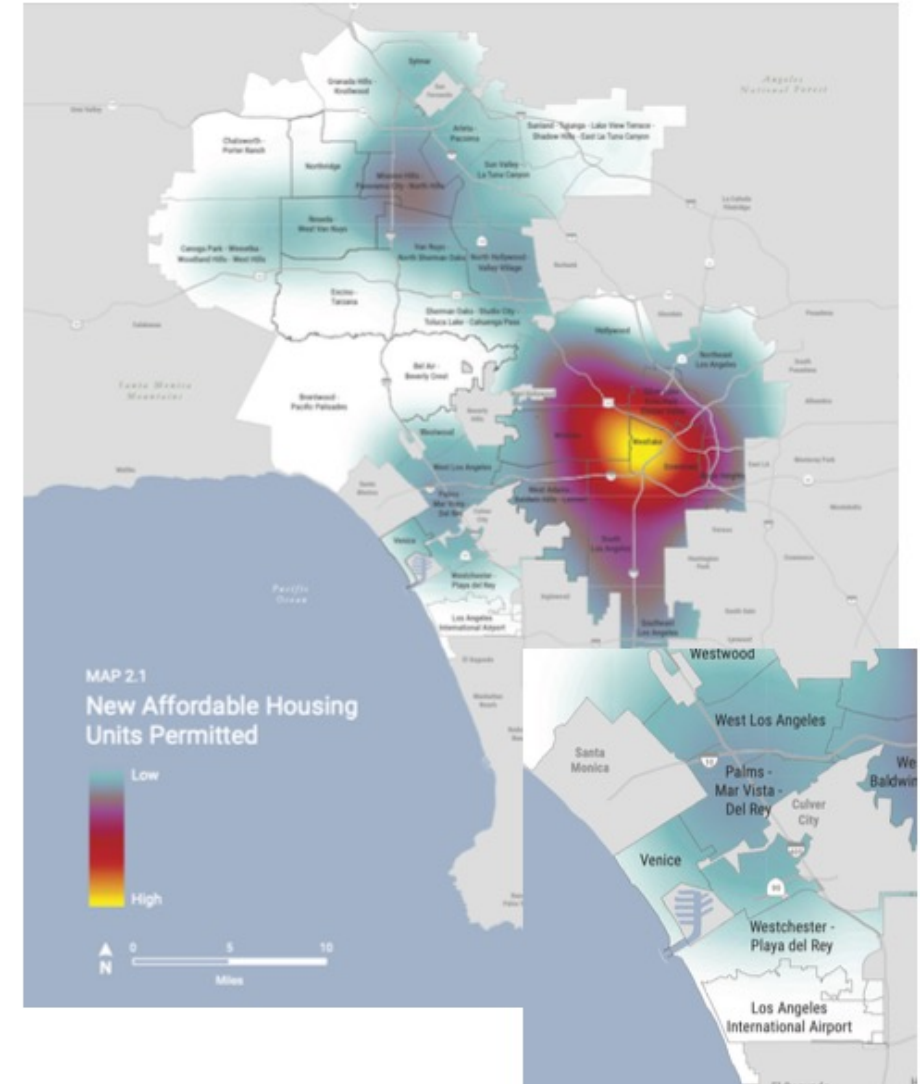


# Process Info FAQ 4

## LA Housing Element (of General Plan)

(4 pages)

**Why the Westside and the Valley are being targeted by Planning for new affordable housing development. Namely, these regions have not been “pulling their weight” in terms of reaching the City’s RHNA goals.**



# Process Info FAQ 5

## Quick Links to Relevant Docs

(1 page so far...)

What	Description	Link
City of LA General Plan Housing Element	Adopted by City Council and approved by State of California on June 2022. The "ruling document" that sets targets ultimately set in individual Community Plan Update exercises	<a href="https://planning.lacity.org/plans-policies/housing-element-update#adopted-plan">https://planning.lacity.org/plans-policies/housing-element-update#adopted-plan</a>
Actual Housing Element Plan Doc 2021-2029	Low-Resolution version.	<a href="https://planning.lacity.org/odocument/55fdecf6-e185-4910-b690-2df603093d76/2021-2029_Housing_Element_Book_(Adopted)_-Low_Res..pdf">https://planning.lacity.org/odocument/55fdecf6-e185-4910-b690-2df603093d76/2021-2029_Housing_Element_Book_(Adopted)_-Low_Res..pdf</a>
Westchester-Playa Draft 1 Community Plan Update	This link takes you to draft "boards" used to present the Planning Department's first draft CPU. These are very information dense, so keep zooming in to see details.	<a href="https://planning.lacity.org/odocument/592dbe25-2de4-4369-868c-acb44ebf19ed/WPDR_Land_Use_Draft_Concepts_Boards_Summer2020.pdf">https://planning.lacity.org/odocument/592dbe25-2de4-4369-868c-acb44ebf19ed/WPDR_Land_Use_Draft_Concepts_Boards_Summer2020.pdf</a>
Planning the West Side	This webpage gives an overview of the 5 community plans moving ahead together as the West Side, namely (North to South) <ol style="list-style-type: none"> <li>1. West LA</li> <li>2. Palms-Mar Vista-Del Rey</li> <li>3. Marina Del Rey</li> <li>4. Venice</li> <li>5. Westchester-Playa Del Rey</li> </ol>	<a href="https://planning.lacity.org/plans-policies/community-plan-update/planning-westside">https://planning.lacity.org/plans-policies/community-plan-update/planning-westside</a>
Southern California Association of Governments (SCAG) Housing Allocations	List of the 6th Cycle Allocation of RHNA housing targets for Southern California	<a href="https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-proposed-final-allocation-plan.pdf?1614911196">https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-proposed-final-allocation-plan.pdf?1614911196</a>
City of LA "Fair Share" Housing Strategy Memo (May 21, 2021)	Report to City PLUM Committee on where (to date) affordable housing permits have been located, while asking the question: which areas are addressing affordable, and which are not?  Data in this report influenced Planning's decision to push the next-generation of affordable housing into the Westside and Valley.	<a href="https://planning.lacity.org/odocument/0062db2b-073b-4e96-8217-8b103ccde78b/Fair_Share_Report.pdf">https://planning.lacity.org/odocument/0062db2b-073b-4e96-8217-8b103ccde78b/Fair_Share_Report.pdf</a>

<https://planning.lacity.org/plans-policies/community-plan-update/planning-westside>



# State Law FAQs

## Source Google Sheet

Reference_Ad Hoc Comm Sheet_State Planning & Housing Laws						
File Edit View Insert Format Data Tools Extensions Help						
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WHAT IS THIS?						
<b>WHAT IS THIS?</b> <b>WPNC CPU Backgrounder: Index of State Planning &amp; Housing Laws</b>						
This sheet does not claim to be the complete record of such California laws. Rather, it's an index of laws the CPU Ad Hoc Committee researched as potentially relevant. It's designed to help stakeholders who are not as familiar with legal requirements and restrictions to inform themselves about facts that are non-negotiable (at the City and State level) as part of our neighborhood's Community Plan Updating process.						
<b>HOW TO USE</b> Can sort by various criteria:						
By Law # In the menu: Data > Filter Views > By Law #						
By Subject Area In the menu: Data > Filter Views > By Subject Area						
By CPU Relevance In the menu: Data > Filter Views > By CPU Relevance						
Sources: <a href="https://www.hklaw.com/en/insights/publications/2022/10/california-2023-housing-laws-what-you-need-to-know">https://www.hklaw.com/en/insights/publications/2022/10/california-2023-housing-laws-what-you-need-to-know</a>						
Wiki, other Google searches on specific bills.						
				Is it relevant to WPNC CPU Process?		
Law #	Subject Area	Summary	Additional Notes	1 = High, 2 = Medium, 3 = Low	Why this ranking?	Effective Date
AB 0101	Stream Lining Approvals	Part of 2019 Housing Crisis Package. CEQA Exemption to certain projects that move homeless into permanent housing.		3 = Low	More "project approval" procedure oriented, so not directly relevant to WPNC CPU process.	2019-12
AB 0140	Affordable Housing	CEQA Exemption + "California Dream for All" bill re tracking affordable home ownership.	New CEQA exemption for Homelessness and COVID Hardship Housing, as well as outlining new budgeting provisions re affordable housing..	2 = Medium	Relevant to CPU process only if we wish to indicate preferred locations for this type of housing as part of our updating process, and if Planning has any schematic way of doing so.	2021-07-19
AB 0345	Accessory Dwelling Units (ADUs)	ADU Separate Conveyances	Sets out the rules by which an owner can sell or convey an ADU separately from the primary residence to a "qualified" buyer (low- and moderate-income households). Establishes the basic rules of "co-tenancy" in this case.	3 = Low	An after-the-fact law conditioning how an ADU might be sold. Not relevant to CPU process.	2022-01-01
AB 0491	Affordable Housing	Affordable Unit Residents guaranteed access to Common Areas and Amenities	Any multi-family with 5+ units that include affordable units are required to give the BMR tenants equal access to all amenities.  Prohibits isolating affordable units in a specific floor or area.	3 = Low	An after-the-fact law conditioning how developers cannot segregate affordable units/tenants. Not relevant to CPU process.	2022-01-01
AB 0682	Density	Density Bonus Law benefits for shared/co-living housing	Creates a new category of "shared housing" to ease local road blocks to co-living projects.  Defines "shared housing" as • Residential or Mixed-Use with 5+ housing units plus 1+ common kitchen/dining areas • Resident is a +30 days tenant	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	

# Legal FAQ 1

## State Land Use Laws\_Relevant to CPU Process

(3 pages, 8 laws cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws\_Relevant to CPU Process

1

*Provided to set an educational base-line for Stakeholders re what can and can't be negotiated*

#### Recent State Land Use Laws that **might** have relevance to the CPU process...

				Is it relevant to WPNC CPU Process?		
Law #	Subject Area	Summary	Additional Notes	1 = High, 2 = Medium, 3 = Low	Why this ranking?	Effective Date
SB 0561 AB 2233 AB 2592	Affordable Housing	Expansion of Surplus Lands Executive Order	State-owned buildings and/or land can be repurposed for affordable housing. Sets out the procedure for how Dept of General Services and Housing Dept find, study, propose this change of land use.	??	Q: Review WPNC geography to see if there's any "surplus land" owned by City, County or State?	
SB 0591	Affordable Housing	Intergenerational Housing	Creates a new category for lower-income development: projects that have at 80% of units = senior citizens (55 and older) and 20% of units = caregiver OR "transition-age youth"	??	Q: Explore with Planning whether CPU process can condition certain zoning areas for this type of housing?	2022-01-01
SB 0790	Affordable Housing	California Surplus Land Use Act	Ensures state-level technical assistance to help develop residential housing on local surplus land.	??	In WPNC geography, is there any surplus land?	

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws\_Relevant to CPU Process

2

*Provided to set an educational base-line for Stakeholders re what can and can't be negotiated*

#### Recent State Land Use Laws **that are directly relevant** to the CPU process...

				Is it relevant to WPNC CPU Process?		
Law #	Subject Area	Summary	Additional Notes		Why this ranking?	Effective Date
AB 1398	Affordable Housing	Cities must fix their Housing Element plan to satisfy RHNA goals in 3 months, not 3 years.	Defines terms by which cities will be held accountable if their Housing Element plan doesn't meet the RHNA housing need specification.  Specifically, shortens the mandatory timeline for updating rezoning changes from 3 years to 120 days.	1 - High	All city-wide CPU processes are impacted by this State law calling the shots on LA's Housing Element. This rule = pressure to push WPNC and all of CD 11 CPUs to absorb some of this mandated affordable density.	2022-01-01
§ 65915	Density	California Government Code § 65915.	The original Housing Density Law, enacted in 1979.	1 = High	The original basis for density bonus incentives for affordable housing development.	
AB 2011 & SB 6	Stream Lining Approvals	AB 2011 CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development that meets affordable housing targets and pays prevailing wages.  SB 6 Allowing residential use on commercially zoned property without requiring a rezoning for projects that pay prevailing wages and meet "skilled and trained workforce" requirements	These two new bills together expedite approval (conversion) of Commercial or Retail zoned sites for Residential development.  SB 6 specifically guarantees "ministerial" approval of Commercial zoned projects that pay construction workers the prevailing living wage and hit certain affordable housing targets.	1 = High	Makes legal the option to "convert" Commercial or Retail zones into housing. Possibly an option to "bake" this into the WPNC CPU zoning review?	2023-07-01

# Legal FAQ 2

## State Land Use Laws Extras\_Density

(4 pages, 9 laws cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Density

Laws that are not directly relevant to the CPU process, but include details about zoning that can impact built environment

1

Law #	Summary	Additional Notes	Relevance	Why this rating?	Effective Date
AB 0682	Density Bonus Law benefits for shared/co-living housing	Creates a new category of "shared housing" to ease local road blocks to co-living projects.  Defines "shared housing" as • Residential or Mixed-Use with 5+ housing units plus 1+ common kitchen/dining areas • Resident is a +30 days tenant • Local ordinances cannot limit minimum unit or bedroom square footage size.  Qualifies for state density incentives if 10% lower-income units OR 5% very-low-income units OR senior housing development.	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	
AB 2345	Amends California Density Law to allow maximum density bonus of 50% (up from 35%)	Enhanced density bonus law incentives in California in 2021 = maximum density bonus of up to 50% (adjusts the "sliding scale" element of the law so density bonuses now grant between 35% and 50% more total housing units).  15% for Very Low Income 24% for Low Income 44% for Moderate Income (this is a new category)	2 = Medium	In reviewing zoning changes in WPNC CPU edits, useful keep these rules in mind as they do have implications for the character of the built environment.	2021-01-01
SB 0290	Amendments to the State Density Bonus Law	Builds on SB 1227 (Skinner) to refine certain terms:  • When calculating required # of units that must be affordable, "total units" excludes units added re the SDBL or local law granting density bonus and include units designated to satisfy local inclusionary zoning requirements.  • CEQA is "no longer an appropriate basis" for denying a density bonus or incentive.  • New parking minimum: 0.5 spaces per bedroom for development with 40% Moderate Income, For-Sale (condos) within 0.5 miles of major transit	2 = Medium	Not directly relevant to WPNC CPU process. But a change in parking minimums to be mindful of re residential developments.	2022-01-01

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Density

Laws that are not directly relevant to the CPU process, but include details about zoning that can impact built environment

4

AB 1551	Density Bonus Law benefits for mixed-use projects	Re-enacts a law that sunset on Jan 1, 2022 and this version stays in force until Jan 1, 2028.  A commercial site can be redeveloped into housing, as long as it's close to schools, jobs and transit.  Says Commercial developer must partner with a Housing Developer OR provide housing with 30% low-income units or 15% very-low-income units..  If so, the project can ask for these bonus incentives: • Up to 20% increase, max allowable density per General Plan • Up to 20% increase max allowable floor area ratio • Up to 20% increase in max height • Ok on limited use/limited applicable elevator for upper floor accessibility	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	2022-01-01
AB 2334	Reforms to the State Density Bonus Law to define "base density" PLUS provide further concessions for 100% Below-Market-Rate (BMR) projects in low VMT areas	<b>ALL PROJECTS:</b> "Base density" change: if density under zoning conflicts with density allowed under land use, special plan or general plan the most dense calculation rules the outcome. And if a local ordinance does not call out a density (# dwelling units per acre) this law provides a formula to produce that #.  An applicant can show their math re density calcs (floor area, sight coverage, height) and Planning is required (by law) to accept the proposal if it's inbounds with what's in the code.  <b>100% AFFORDABLE PROJECTS:</b> in "very low vehicle traffic areas" (<85% of the regional or city VMT average) these projects now get the extra incentives previously only available to TOC projects: 4 incentives, unlimited density bonuses as well as an automatic height increase of up to three stories or 33 feet.  Now these projects can eliminate parking minimums if the target resident age is 55+ vs age 62 now.	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	
AB 1763	Part of 2019 Housing Crisis Package. Density Bonuses / Affordable Housing	For projects with 100% affordable housing (= <20% for moderate-income and the remainder for low-income), potential 80% increase in base density.	2 = Medium	Does WPNC CPU process wish to identify zones for 100% affordable housing?	2019-09

[Draft 1, 2022-11-25]

# Legal FAQ 3

## State Land Use Laws Extras\_Affordable Housing

(2 pages, 5 laws cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Affordable Housing

*Laws that are not directly relevant to the CPU process, but include details about zoning that can impact build environment*

1

Law #	Summary	Additional Notes		Why this Ranking?	Effective Date
AB 0140	CEQA Exemption + "California Dream for All" bill re tracking affordable home ownership.	New CEQA exemption for Homelessness and COVID Hardship Housing, as well as outlining new budgeting provisions re affordable housing..	2 = Medium	Relevant to CPU process only if we wish to indicate preferred locations for this type of housing as part of our updating process, and if Planning has any schematic way of doing so.	2021-07-19
AB 0721	CC&Rs un-enforcable against 100% Below Market Rate (BMR) project.	<p>Pre-existing CC&amp;Rs are voided for certain "qualified" affordable housing developments.</p> <p>Cannot restrict #, size or location of residences; nor restrict 3 of people or families on a property IF the owner is proposing a 100% affordable project.</p> <p>However, it is possible to defend CC&amp;R elements if they line up with the General Plan or local zoning laws.</p> <p>(AB 1466: strikes these unenforcible CC&amp;Rs to remove the covenant from property titles. Requires all county recorders to figure out how they can audit and redact no longer enforcible CC&amp;Rs.)</p>	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	2022-01-01
AB 1043	Adds new category for BMR residents: "Acutely Low Income"	<p>Acutely low income is now a sub-set of "lower income households"</p> <p>Households earning 15% of AMI = rents no greater than 30% of the 15% AMI level.</p>	2 = Medium	In reviewing zoning changes in WPNC CPU edits, should keep these rules in mind.	2021-09-28



# Legal FAQ 4

## State Land Use Laws Extras\_ADUs

(1 page, 2 laws cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Accessory Dwelling Units

Laws that are not directly relevant to the CPU process, but include details about zoning that can impact build environment

1

			Is it relevant to WPNC CPU Process?	
Law #	Summary	Additional Notes	1 = High, 2 = Medium, 3 = Low	Why this ranking?
AB 2221	Comprehensive "cleanup" of ADU laws	<p>Kills a local work-around that's cropped up and reinstates the rule that ADU proposals must be approved or denied within 60 days.</p> <p>If agency denies an ADU proposal, they owe developer full comments on project deficiencies and describe how the application can be remedied.</p> <p>Clarification: ADU construction does not trigger "Group R" (stricter) building standards.</p> <p>Every entity in the approval loop (e.g., water, power, sanitation) must stick to the 60 day deadline for approve or deny.</p> <p>Clarification: ADU construction doesn't trigger requirement for fire sprinkler installation in existing multi-family dwelling.</p> <p>Local agencies cannot use front setback standards to block an ADU that's 800 sq ft or smaller, PLUS adheres to the 4' rear and side yard setbacks and revised height limits.</p>	2 = Medium	In reviewing zoning changes in WPNC CPU edits, useful keep these rules in mind as they do have implications for the character of the built environment.
SB 0897	Increased height limits for ADUs; allowing detached ADUs on lots with proposed multifamily dwellings.	<p>New minimum height limits:</p> <ul style="list-style-type: none"> <li>• 16' for detached ADU</li> <li>• 18' for detached ADU within 0.5 mile of transit stop OR lot that already has a multi-story, multifamily dwelling</li> <li>• 25' for attached ADU</li> </ul> <p>Plus intros rules for 2-story ADU under certain conditions.</p> <p>Leaves local agencies permission to deny 3-story ADUs.</p> <p>If a new project is multifamily, now possible to also include 2 detached ADUs in the project.</p>	2 = Medium	In reviewing zoning changes in WPNC CPU edits, useful keep these rules in mind as they do have implications for the character of the built environment.

[Draft 1, 2022-11-25]



# Legal FAQ 5

## State Land Use Laws Extras\_Stream Lining Approvals

(1 page, 3 laws cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Stream Lining Housing Project Approvals

1

*Laws that are not directly relevant to the CPU process, but include details about zoning that can impact built environment*

AB 2295	Allowing educational employee housing on land owned by school districts or county office of education	<p>Allows educational entities to secure "permitted use" approval to build affordable rental housing for educators. It allows for zoning changes but doesn't necessarily clear a given project's CEQA requirement.</p> <p>The majority of rental units must be Below Market Rate—moderate- and lower-income rental tiers—with minimum of 30% for lower-income.</p>	2 = Medium	Relevant to possible future LMU development	
SB 0035	Streamlining Housing Production. Creates "ministerial" duty for city to grant a project permit under specific circumstances.	<p>Forces a streamlined project approval process on cities that are falling behind in their housing production.</p> <p>The criteria:</p> <ol style="list-style-type: none"><li>1: be on land zoned for residential use.</li><li>2: designate at least 10% of units as below market housing if located in localities that did not meet above-moderate income RHNA</li><li>3: designate at least 50% of units as below market housing in localities that did not meet low income RHNA.</li><li>4: not be constructed in an ecologically protected area.</li><li>5: be multi-unit housing and not single family homes</li><li>6: pay construction workers union-level wages</li></ol> <p>Guarantees approval within 60 days for &lt;150 unit projects or 90 days for &gt;150 units projects.</p> <p>AB 1174 refines SB 35: can pause the mandatory 3-year permit timeline if there's a law suit and modifications are being confirmed. Any subsequent permitting based on the original standards in place for original permit.</p>	2 = Medium	A procedural guarantee developers can invoke. Community can expect it to possibly be activated by certain developers. (Part of new residential zone density reality.)	2017-09
SB 0886	CEQA exemption for qualifying university housing development projects	<p>This applies to student and faculty housing. But exemption from CEQA qualification requires the project meet a list of detailed requirements, including paying a living wage, has been verified to net no new emissions, etc</p>	2 = Medium	Relevant to possible future LMU development	

# Legal FAQ 6

## State Land Use Laws Extras\_Parking Minimums

(1 page, 1 law cited)

WPNC Community Plan Update Ad Hoc Committee

### FAQ: State Land Use Laws Extras\_Parking Minimums

1

*Laws that are not directly relevant to the CPU process, but include details about zoning that can impact built environment*

Law #	Summary	Additional Notes	Relevance	Why this Rank?	Effective Date
AB 2097	Prohibiting minimum parking requirements within a half-mile of public transit	<p>Local jurisdiction can't require minimum parking in residential, commercial or other developments without 0.5 mile of public transit.</p> <p>Must ok parking reduction if project is... 20% units dedicated to very low-, low- or moderate-income households, students, elderly or disabled OR &lt;20 housing units</p> <p>Creates the rules by which it can be argued parking minimums MUST be required: if an interested party can prove "substantial negative impacts" of no minimum parking on</p> <p>1) local jurisdiction is struggling to meet local housing requirements for low- and very-low-income households 2) ability to provide elderly or disability-oriented housing 3) hurt the business of existing near-by parking (within 0.5 miles of project).</p> <p>Confirms public agencies can still require parking for car-share vehicles OR require parking for electric vehicle recharging.</p>	2 = Medium	In reviewing zoning changes in WPNC CPU edits, useful keep these rules in mind as they do have implications for the character of the built environment.	

[Draft 1, 2022-11-25]

# Proposed Intro Slides

This or some version of a context baseline for stakeholders

# Context for Our Work...

It's the Law



State Legislature

1969

## Civil Rights Legislation

- Each California city > regularly plan for the housing their community will need at all income levels.
- Designed to prevent local communities from perpetuating racial segregation by zoning out affordable housing.
- Every city must include a *Housing Element* in its comprehensive plan (it's "General Plan").

California Department of Housing and Community Development (HCD)

Council of Governments



RHNA

Regional Housing Needs Allocation

However, for years cities have been out of compliance.



C.A.R. housing group sues six Southern California cities over failure to plan for housing

Californians for Homeownership, a nonprofit organization sponsored by the [CALIFORNIA ASSOCIATION OF REALTORS® \(C.A.R.\)](#) ...announced lawsuits against six Southern California cities for violating state laws that require cities to plan for the development of housing. The cities are Bradbury, La Habra Heights, Laguna Hills, Manhattan Beach, South Pasadena and Vernon.

So new State Law has created serious penalties.

Mis-fires on any city's Housing Element can result in...

- Being required to [update Housing Element every 4 years](#) (instead of the standard 6-8 years)
- Being classed as [ineligible for State grant funding](#) (\$\$ provided by the State for Cities to make State-mandated things happen locally)
- California State Attorney General can [sue the City](#). (Band, and opens the potential for law suits from outside parties as well.)
- **Lose local land use authority**
- If a City misses its RHNA targets, [developers can invoke "ministerial" approvals](#) (public input is cut out of the planning process)

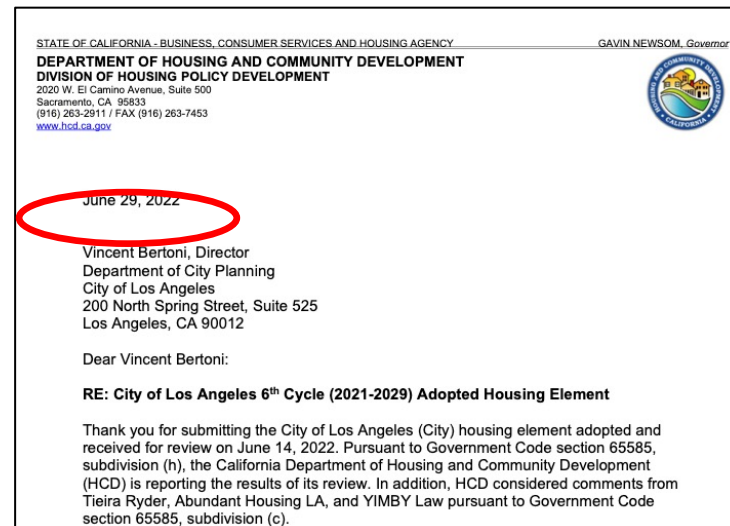
# Context for Our Work...

WPNC Current  
Community Plan is 18  
years old.

!!!

WESTCHESTER - PLAYA DEL REY ACTIVITY LOG			
ADOPTION DATE	PLAN	CPC FILE NO.	COUNCIL FILE NO.
April 13, 2004	Westchester-Playa del Rey Community Plan	CPC-1998-0010CPU	04-0297
Sept. 27, 1994	Coastal Bluffs Specific Plan, Ord. No. 170,046	CPC-90-0598	92-0042 S4
Aug. 4, 1993	Coastal Transportation Corridor Specific Plan, Ord. No 168,999	CPC-84-0226	88-1984 S1
May 13, 1992	Los Angeles Airport/ El Segundo Dunes Specific Plan, Ord. No. 167,940	CPC-30014	80-4283 82-1897 91-1870
Jan. 12, 1981	Los Angeles International Airport Interim Plan		80-4283

But LA now has an  
approved *Housing  
Element*, which drives  
CPUs.



*Rezoning to Accommodate the Regional Housing Needs Allocation (RHNA):* Program 121 (RHNA Re-zoning), Program 65 (Plan for Housing Growth and Place-Based Strategies in Community Plan Areas) and Program 48 (Update Density Bonus and Other Affordable Housing Incentive Programs) commits to various rezoning strategies, implementation tools, and incentives to **accommodate a shortfall of 130,553 units for lower-income and 124,880 units for moderate and above-moderate income households**. Among other things, the program commits to permitting owner-occupied and rental multifamily uses **by-right for developments in which 20 percent or more of the units are affordable to lower-income households**.

<https://planning.lacity.org/plans-policies/housing-element>

# Context for Our Work...

LA doesn't have a choice.



Dear Vincent Bertoni:

**RE: City of Los Angeles 6<sup>th</sup> Cycle (2021-2029) Adopted Housing Element**

...accommodate a shortfall of **130,553 units** for lower-income and **124,880 units** for moderate and above-moderate income households. Among other things, the program commits to permitting owner-occupied and rental multifamily uses **by- right for developments in which 20 percent or more of the units are affordable to lower-income households.**

		1	2	3	4	5
<b>Los Angeles County Area Median Income: \$91,100</b>	Acutely Low	\$9,550	\$10,900	\$12,300	<b>\$13,650</b>	\$14,750
	Extremely Low	\$25,050	\$28,600	\$32,200	<b>\$35,750</b>	\$38,650
	Very Low Income	\$41,700	\$47,650	\$53,600	<b>\$59,550</b>	\$64,350
	Low Income	\$66,750	\$76,250	\$85,800	<b>\$95,300</b>	\$102,950
	<b>Median Income</b>	<b>\$63,750</b>	<b>\$72,900</b>	<b>\$82,000</b>	<b>\$91,100</b>	<b>\$98,400</b>
	Moderate Income	\$76,500	\$87,450	\$98,350	<b>\$109,300</b>	\$118,050

LA's **General Plan Housing Element** must address lower income housing needs.

Because roughly 70% of LA's Households qualify for "affordable" housing.

Income	2019 Percentage of Population
\$10,000 to \$14,999	5.8%
\$15,000 to \$24,999	9.3%
\$25,000 to \$34,999	8.7%
\$35,000 to \$49,999	11.5%
\$50,000 to \$74,999	15.4%
\$75,000 to \$99,999	11.4%
\$100,000 to \$149,999	14.4%
\$150,000 to \$199,999	6.9%
\$200,000 or more	10.0%

HH of 4

Acutely Low

Extremely Low

Very Low

Low

Moderate

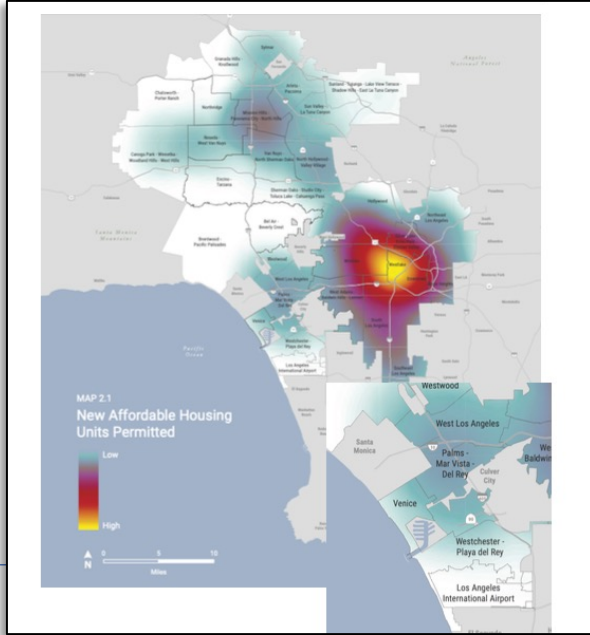
~70% total or  
1,66,523 Households  
out of 2,378,900  
total households  
(2019)



# Context for Our Work...

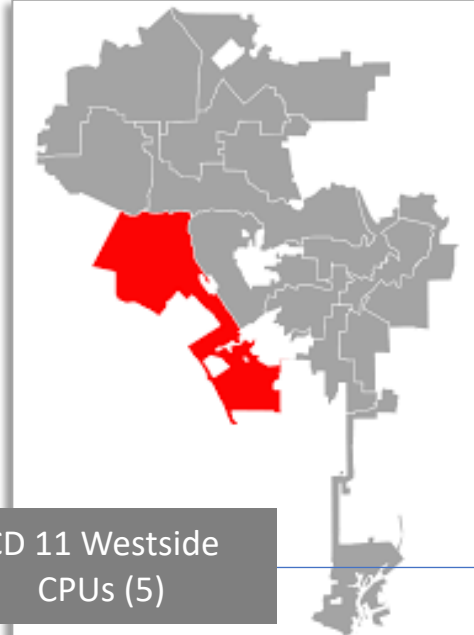


General Plan  
Housing Element



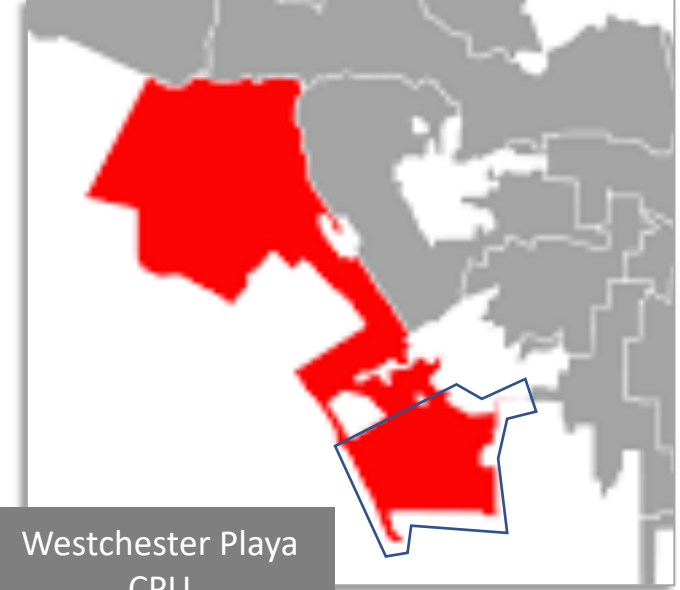
- Accepted June, 2022
- Reality: Based on where affordable growth has happened to date (map above), City Planning has framed one non-negotiable element.

Westside & Valley have been ID'd as "high opportunity" areas that must absorb the majority of new affordable housing.



CD 11 Westside  
CPUs (5)

- All 5 Westside CPUs move forward in synch.
- Timeline for City Council approval: 2025? 2026?



Westchester Playa  
CPU

- Our work is advisory
- If our effort doesn't accept the *ministerial ground rules*, Planning can move ahead on meeting Housing Element targets without meaningful public input.
- Goal: be informed, cultivate successful *local advocacy* collaboration with Planning

Currently awaiting the RHNA target # of housing units assigned to the Westside, and Westchester/Playa specifically.