I. LOCAL PROJECTS / ISSUES

1. WLA Community Plan:

The Planning Dept. held a series of Community meetings with the Community Meeting in the WNC area on Tuesday, June 18th at the Henry Medina Parking Enforcement Facility. The purpose of the Community Meeting was to provide an update of what staff heard from the prior round of community workshops. They provided a summary of the comments that they received from community stakeholders on a variety of topics including housing related issues (housing type/problems, mansionization, ADU’s, micro units, etc.), aging housing stock affordable housing, homelessness, etc.), open space, mobility (especially focused on bicycle and pedestrian), infrastructure, urban design and scale, streetscape and commercial areas as well as corresponding comments about Community Plan goals and policies relating to these issue areas. Major focus was on housing opportunities relating to affordable housing and housing types. The meeting was conducted in an open house format similar to past meetings with Planning staff manning display boards on each of the topics. Community participants were encouraged to put post it notes with comments on the boards about issues raised and any comments that participants gave at the past workshops that they felt were not reflected on the summary of comments and issues.

Common Themes of issues raised were also exemplified that included: Commercial Corridor Scale and Character, Pico Boulevard Scale and Character, Open Space (Ohio Triangle and Westwood Greenway), Sawtelle Japantown Preservation, West Los Angeles Civic Center Preservation, Industrial Lands – Sepulveda Corridor, Low Density Residential Across the Plan Area, Monte Mar Vista Character, Low-Density Scale, Multi-family Housing for the South of Pico Neighborhood, Infrastructure-Access for Fire Station No. 92.

A. The primary comments about “Commercial Corridor Scale and Character” were to address design, scale and character on evolving commercial corridors with particular attention to Santa Monica and Westwood Boulevards.

B. The primary comments about “Pico Boulevard Scale and Character” were to retain the low-scale commercial character of the area plus the walkability, to add traffic signals, lighted crosswalks, and bike lanes, and to reduce parking requirements for synagogues.

C. The primary comments relating to “Low density residential across the plan area” and” low density scale” are to maintain single-family residential neighborhoods, maintain the character of single-family residential area and to provide transitions between low-density residential areas and uses and scales of development.

D. The primary comment about “Open Space” is to create more of it such as pocket parks.

E. The primary comment about the “West Los Angeles Civic Center was to maintain and restore the civic structures, a complete renovation of the Center transform it into a place for community gatherings and concerts, and to add a playground to address the lack of open space in the neighborhood.

F. The primary comments about the “Industrial Lands – Sepulveda Corridor” are to maintain industrial area between Sepulveda and the freeway, reconfigure parking lots on Sepulveda, so that motorists do not back into oncoming traffic, and create a transition buffer which will create a gradual and appropriate space between the industrial and residential uses particularly the single-family zone south of Missouri Avenue.

Statistical Information was provided about Westside population, employment, housing and other data. DOT staff also had a table requesting comments.

Each of the exhibits on display will be available in about a month on the Planning the westside.org web-site approximately one month after the community meeting dates. We will notify the board of their availability at a future WNC meeting and when we are told that they have been posted.
Certain requests raised by the WNC Board in our letter were not included/incorporated into the presentation materials. The most significant of which was the extension of the NMU Zoning District eastward along Pico and north of Pico along Westwood Boulevard. The Land Use Committee will prepare a follow up letter to list any items that we believe were not included in the summary of comments as well as any concerns about other comments identified on the boards that are contrary to the WNC Board’s position.

WNC Land Use Committee
Legislative Report July 2019

1) STATE POLICY ISSUES: The following measures as summarized by ABAG (Association of Bay Area Governments) are those which would likely have significant impacts on our community if adopted in their current form. (Note that the bill analysis details do not contain the most recent bill amendments. They have not yet been updated. BILL STATUS (where the bill is in the legislative process) has been updated.

If you want to track a bill that is moving through the California legislature, you can sign up to receive notifications about its progress at the www.leginfo.legislature.ca.gov website.

A) ACTIVITY AT THE LA CITY LEVEL ON STATE LEGISLATION:

In the City, CM Koretz's motion to oppose 330 has been referred to the Rules Cmtee but no action yet. City Council is in recess until end of July so it won't be any time soon, unfortunately.

On the other hand, Koretz also had a motion to oppose 592 which was waived out of Rules and voted on in full Council on July 3 -- passed. Awaiting Mayor's signature (by July 15). No idea why the expedited process for 592 but not for 330. Q: will Mayor sign in time? Is he "in recess" also?


We can only hope that the City will be able to weigh in on time on both of these bills.

----------------

B) ACTIVITY AT THE STATE LEVEL:

Summary of most recent actions: SB 330 (Skinner) and SB 592 (Wiener's Gut & Amend of the cosmetology licensing bill) both passed yesterday in the Assembly Local Govt. Cmtee. Bloom is a member and voted Aye on both.

They will now go to the Assembly Appropriations Cmtee (no hearing date yet). Bloom is also a member. SB 592 will eventually have to go back to the Senate since it's basically a new bill.

Note: the Assembly is adjourned until August 12 so there will be no further action on these bills until then.

Bill Details:
SB 50 (Wiener D) Planning and zoning: housing development: incentives.
Summary: Would require a city, county, or city and county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development, as defined, that satisfies specified criteria, including, among other things, that the residential
development is either a job-rich housing project or a transit-rich housing project, as those terms are defined; the site does not contain, or has not contained, housing occupied by tenants or accommodations withdrawn from rent or lease in accordance with specified law within specified time periods; and the residential development complies with specified additional requirements under existing law.

SB 592 Status: Passed Assembly Housing and Community Development. Passed Assembly Local Government Committee. Re-referred to Assembly Appropriations.

The WNC went on record supporting Councilmember Koretz’s motion to oppose SB 50. The City Council unanimously passed the motion and sent it to the Mayor. In a letter dated April 30, the Mayor wrote to the Council to state that he was returning the Council’s resolution without signature. He states: “I am hopeful that legislation will emerge that strategically addresses the need for heightened urgency in growing our state’s housing stock, while also protecting renters from displacement, incentivizing maximum affordability and taking into account local commitment – and progress – in the context of this crisis.” We now need to do so with SB 592.

The measure would override virtually ALL local zoning and land use decisions. This is a broad State over-reach and a terrible example of attempting to address a complicated set of issues with a “one-size-fits-all” piece of legislation.

- It would allow 85-foot tall buildings in single-family neighborhoods, because it operates on top of the developer-friendly SB 1818 density bonuses. (45-55 feet allowed under SB 50 plus up to 3 additional stories under SB 1818. Wiener does not reveal the fact that both measures can be applied to a property.
- It would replace existing, relatively affordable multi-family housing with luxury units, supposedly to increase supply and thus drive down prices across the board. In fact, tenant displacement would skyrocket, and so would housing costs. (Seattle did something similar recently, with disastrous results.)
- SB 50 makes no provision for additional water and power, school capacity, traffic abatement, or preservation (or creation) of open space. This is an unfunded mandate to cities without the resources to address impacts.
- It drives density with a one-size-fits-all mentality that would obliterate the scale and character of communities and neighborhoods across the state (including designated HPOZ communities in LA) – except for a few posh enclaves in Northern Calif, where carve-outs and exceptions soothe affluent supporters.
- By rezoning R1 properties, significant land will be made available to developers who will be able to avoid paying the higher costs of commercial or multi-family zoned land to build upon. Developers will get to pick and choose where to build with no neighbors, neighborhoods, local government having any input.

1) SB 50 /592 wipes out all single-family zoning in the below “transit” areas:
SB 50 bans cities from rejecting big residential luxury developments containing a small number of affordable units if A) they are proposed within a ¼-mile radius of a busy bus stop, or B) within a 1/2-mile radius of any rail or train stop.

2) SB 50 /592 wipes out single-family zones in 1000s of neighborhoods
SB 50 overturns single-family zoning in areas “above-median income, jobs-rich, with good public schools” that lack major transit (i.e., it allows tall apartments next to houses in areas that have good schools and jobs nowhere near transit).

3) Rewards construction of 85-ft towers next to single-famly homes.
SB 50 encourages 75-ft and 85-ft-tall luxury towers in single-family areas that are either too close to transit or too close to jobs and good schools. The height limit is NOT 45 feet and 55 feet, as Sen. Scott Wiener falsely implies in SB 50. Density Bonus allows up to +30 additional feet.

4) Cities can’t stop a luxury tower unless it hurts public safety.
SB 50 is weaponized by the Housing Accountability Act of 1982, which was quietly amended by Skinner/Wiener in 2017. It bans cities from rejecting any “density bonus” project unless the developer “puts public safety at risk.”

5) Cities can’t reject demolitions in the new SB 50-targeted areas.
Weaponized by the Housing Accountability Act, SB 50 prevents cities from fighting demolitions that make way for housing towers in “jobs-rich, good schools areas” and “transit” areas. The bill tells developers to sue, if challenged by a city.

6) SB 50 forces ‘sensitive communities’ to upzone themselves by 2025
SB 50 openly threatens “sensitive communities” — low-income, diverse areas. It requires them to upzone their Community Plans in 5 years to conform to SB 50, annihilating their homeowner areas, a direct attack on starter homes. If not, Wiener’s SB 50 will do it for them.

7) Turns developers into the fox guarding the rental hen-house
SB 50 utterly fails to protect renters. Only those cities who registered their renters and closely track vacancies can stop developers from lying about rental history.

8) SB 50 puts developers in charge of their own planning.
SB 50 turns 1000s of streets into density-bonus-on-steroids, where cities have NO say. Developers choose their own incentives from a menu of rewards and waivers.

Below is a sample of existing local development standards & planning tools. SB 50 lets developers toss out up to 3 of them, including height limit:

- **Setbacks**: Areas for trees, green belts, side yards, can be cut.
- **Floor area ratio**: Building size/density can grow 47% to 297%.
- **Parking**: Developers can build apartment towers with NO PARKING.
- **Environmental sustainability**: Any development standard adopted by a city, that isn’t state law, can be ignored by developers. Local Rules for open space, trees, light
- **Historic buildings/zones**: Developers can buy and demolish any home not on the CA Registry of Historic Resources. Historic “zones” lose ALL protection. Only single buildings that seek & meet the tough Historic Resources code are safe from demolition.
- **Onsite open-space**: Courtyards and balconies can be killed.
- **Historic buildings/zones**: Developers can demolish buildings not on the CA Registry of Historic Resources. MANY, including HPOZs, aren’t!

9) SB 50 Turns Bus Routes into Land Wars
From Boyle Heights to Oakland, SB 50 allows bus agencies to upend single-family zoning. By shortening bus stop “headways” (how often a bus picks up at a location) to 15 minutes, bus agencies can override single-family zoning within ¼ mile of a bus stop and developers can erect 65-foot-tall buildings the cities can’t reject.

How fast can this happen? Buses don’t need rail construction, so in 2018, San Diego’s MTS’ Transit Optimization Plan revamped its bus routes in just six months.

Former LA City Councilmember and County Supervisor Zev Yaroslavsky has taken a strong stand against the bill. Beverly Hills Mayor John Mirisch is another outspoken opponent of SB 50. Even in San Francisco, home town of the bill’s author, the Board of Supervisors did a thorough study of SB 50 and then voted 9-to-2 to oppose it.

At the grass roots, a broad coalition of homeowners and renters, preservationists and affordable-housing advocates, progressives and conservatives are joining forces to stop SB 50. Those opposing are not out of the woods, not by a long shot.

SB4:
Streamline approval process for small multi-family housing projects in cities and counties with unmet housing needs. Allow apartment and condo development up to one story taller than existing height limits within a half-mile of transit stations.
Status: Passed Senate Housing. Re-referred to Senate Governance and Finance Committee

Last Amend: 3/25/2019 Status: 3/25/2019-
From committee with author’s amendments. Read second time and amended. Re-referred to Com. on GOV. & F. Page 22/25 Status: 3/25/2019

From committee with author’s amendments. Read second time and amended. Re-referred to Com. on GOV. & F. Location: 2/28/2019-S. GOV. & F. 7/10: Passed local Government Committee.Referred to Assembly Appropriations Committee

Summary: Would, until January 1, 2025, with respect to land where housing is an allowable use, prohibit the legislative body of a county or city, defined to include the electorate exercising its local initiative or referendum power, in which specified conditions exist, from enacting an amendment to a general plan or specific plan or adopting or amending any zoning ordinance that would have the effect of

(A) changing the zoning classification of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific plan land use designation and zoning ordinances of the county or city as in effect on January 1, 2018;

(B) imposing a moratorium on housing development within all or a portion of the jurisdiction of the county or city, except as provided;

(C) imposing design standards that are more costly than those in effect on January 1, 2019; or

(D) establishing or implementing any provision that limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within the county or city.

Note: Prohibits moratoriums and other restrictions on housing construction in cities with high rents and low vacancy rates.

Comment on 330 from a local who attended the recent bill hearing:

IF SB 330 passes as amended last week in the Assembly Housing Committee, the new language requires the approval of any developer’s application to demolish existing residential housing so long as the developer replaces the housing demolished unless a law specifically prohibits the demolition of residential housing. Here it is

(d) Notwithstanding any other provision of this section, . . .

(1) An affected city or an affected county shall not approve . . . unless:

(A) The project will create at least as many residential dwelling units as will be demolished. [SO JUST REPLACEMENT]

(B) The affected city or affected county is not prohibited from approving the demolition of the residential dwelling units pursuant to any local ordinance or other law.

(2) . . . (A) (i) The project will replace all existing or demolished protected units.

(ii) [alot of language saying that the replacement units can count toward affordable housing requirements for purposes of the density bonus law].

(iii) [alot of language saying that rent stabilized or rent controlled units can be replaced by affordable housing units restricted for 55 years or by replacement rent controlled or rent stabilized units at the city or county discretion without recorded covenants (which of course does not work under Costa-Hawkins)].

The other provisions impose a look back period of 5 years for rent controlled or rent stabilized units, provide that tenants can be evicted apparently without cause 6 months before commencement of construction upon payment of relocation benefits to occupants of affordable rental units (without mention of rent stabilized or rent controlled units) and a right of first refusal on a “comparable” unit (measured by number of bedrooms not size) at an affordable rent or cost NOT at a comparable rent or cost.

There is a savings clause that says “(3) This subdivision shall not supersede any provision of a locally adopted ordinance that places greater restrictions on the demolition of residential dwelling units or the subdivision of residential rental units, or that requires greater relocation assistance to displaced households.” BUT it creates a presumption in favor of a development seeking demolition.

SB 58: (Weiner D) 4 am Bar Closure Bill
4/22: Placed on Appropriations Committee suspense file
Another attempt by Weiner to change bar closing hours to 4 am from 2 am.
Bill Summary: SB 58 would require the Department of Alcoholic Beverage Control (ABC) to create a pilot program, beginning January 1, 2022, to issue an additional hours license to an on-sale licensee in a qualified city, that would allow the selling, giving, or purchasing of alcoholic beverages between the hours of 2 a.m. and 4 a.m., upon completion of specified requirements.

Status: The bill has passed through the Senate, and is being considered by the Assembly. On 7/10 it passed through the Assembly Committee on Government Organization (11-5-5) and is now referred to Committee on Appropriations.

Last Amend: 3/27/2019
Status: Ha passed though Senate and 7/10 passed through Government & Finance Committee. Now referred to Assembly Appropriations.-
State Capitol, Room 127  ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair
Summary: Current law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit within 120 days of receiving the application. This bill would instead require a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit permit within 60 days of receipt.
Note: Overrides city ordinances that require a minimum lot size for Accessory Dwelling Units (ADUs or “granny units”) or restrict those units to less than 800 square feet.

AB 587 (Friedman D) Accessory dwelling units: sale or separate conveyance.
Summary: Current property tax law establishes a welfare exemption under which property is exempt from taxation if the property is owned and operated by a nonprofit corporation that is organized and operated for the purpose of building and rehabilitating single family or multifamily residences for sale, as provided, at cost to low-income families. This bill would authorize an accessory dwelling unit that was ministerially approved pursuant to the process described above to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.
Note: Allows separate sale/transfer of ADUs built by qualified nonprofits, laying groundwork for splitting lots zoned for single family residences.

AB 670 (Friedman D) Common interest developments: accessory dwelling units.
Summary: The Davis-Stirling Common Interest Development Act, governs the management and operation of common interest developments. Current law prohibits the governing document of a common interest development from prohibiting the rental or leasing of any separate interest in the common interest development, unless that governing document was effective prior to the date the owner acquired title to their separate interest. This bill would make a provision in a common interest development’s governing document void and unenforceable if it prohibits the construction of accessory dwelling units or junior accessory dwelling units, as specified. The bill would apply only to a governing document or amendment to a governing document that becomes effective on or after January 1, 2020.

AB 671 (Friedman D) Accessory dwelling units: incentives.
Summary: Would require a local agency to include a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low-, and moderate-income households in its housing element. The bill would require the Department of Housing and
Community Development to develop a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of accessory dwelling units with affordable rent, as specified.


Summary: The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires the ordinance to designate areas where accessory dwelling units may be permitted and authorizes the designated areas to be based on criteria that includes, but is not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. This bill would instead require a local agency to designate these areas based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.


Summary: Would require a density bonus to be provided to a developer who agrees to construct a housing development in which 100% of the total units, exclusive of managers' units, are for lower income households, as defined. The bill would also require that a housing development that meets this criteria receive 4 incentives or concessions under the Density Bonus Law.

2) **Statewide policies with local implications upon implementation (already legislatively adopted) --Regional Housing Needs Allocation (RHNA):**

California state law recognizes that local governments play a vital role in developing affordable housing. In 1969, the state mandated that all California cities, towns and counties must plan for the housing needs of our residents—regardless of income.

This state mandate is called the Housing Element and Regional Housing Need Allocation, or RHNA. As part of RHNA, the California Department of Housing and Community Development, or HCD, determines the total number of new homes each area of California needs to build—and how affordable those homes need to be—in order to meet the housing needs of people at all income levels.

The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

In Southern California, SCAG (the Southern California Association of Governments) is in the process of developing the 6th cycle RHNA allocation plan which will cover the planning period October 2021 through October 2029. It is planned for adoption by SCAG in October 2020. For information on the 5th cycle which was adopted in October 2012, please [click here](http://www.scag.ca.gov/programs/Pages/5th-Cycle-RHNA.aspx).

After adoption (and approval by the State), SCAG distributes a share of the region’s housing needs to each city, town and county in the region. Each local government must then update the Housing Element of its general plan to show the locations where housing can be built and the policies and strategies necessary to meet the community’s housing needs.

Visit the HCD website and get the full RHNA details:  [http://www.hcd.ca.gov/community-development/housing-element/index.shtml](http://www.hcd.ca.gov/community-development/housing-element/index.shtml)
SCAG RHNA Subcommittee: The RHNA Subcommittee is tasked with making recommendations on RHNA policy and methodology.

NEXT MEETING: Monday, July 22, 2019, 10:00 a.m. - 12:00 p.m, SCAG Main Office

View Agenda

3) Interesting articles for your info that relate to the housing issue

Zelda Bronstein - Facebook money and California housing: How Mark Zuckerberg and Priscilla Chan are funding a shadow government that’s shaping California and Bay Area housing policy
49 HILLS - MAY 29, 2019
https://48hills.org/2019/05/facebook-money-and-california-housing/

Dowell Myers and JungHo Park - 30th Annual USC-SCAG Demographic Workshop Panel on Demographic Change and Housing Needs June 11, 2019, Los Angeles, CA: Growing Housing Needs Amid the Shortage Crisis in California Regions

Embarcadero Institute: Measuring a Housing Crisis
How do we reliably determine how many homes California needs to build? “3.5 million is the number arrived at by McKinsey & Company in their 2016 report on Bay Area housing. They argued that New York State’s housing unit per capita should be California’s goal, but our demographics and household formations are very different than New York’s.”

Jill Stewart: The 3.5 Million Unit Housing Shortage in California is Bad Data, Causing Legislative Missteps June 25, 2019
https://www.2preservela.org/the-3-5-million-unit-housing-shortage-in-california-is-bad-data-causing-legislative-missteps/

California Planning & Development Report: Updated CEQA Guidelines Finally Go Into Effect
Provides recommendations for how lead agencies should analyze, per SB 743, projects’ transportation impacts according to metrics of vehicle miles traveled (VMT) as opposed to level of service (LOS).
http://www.cp-dr.com/articles/20190415

United Nations Human Rights Office of Commissioner: States and real estate private equity firms questioned for compliance with human rights
“UN human rights experts have condemned the “egregious” business practices of giant private equity and investment firms which are scooping up low income and affordable homes around the world, upgrading them, and substantially raising rents, forcing tenants out of their own homes. “

4) Something to think about:

According to Zillow, between 2010 and 2018, the average one bedroom apartment in Los Angeles rent rose 84%, from $1,275 to $2,350, while at the same time, according to Census.gov, the average median income only increased 11%.

The average return on investment for house flipping last year was 49%, which is like 2-4x the return on new development.

5) Upcoming Planning Related meetings/hearings, etc.

PlanCheck: Saturday, 7/13, 10 am – 1 pm, Hollenbeck Police Station Roll Call Room
City Council considering some action re: sober living homes and drug and alcohol addiction facilities. **CF 19-0401.** PLUM has requested a report from Planning Dept. on current regulatory efforts of other municipalities.