

Land Use Report to WNC November 2019

I. UPDATES:

1) The City released the **EXPO Corridor Transit Neighborhood Plan** with a letter of transmittal dated October 17, 2019 to the PLUM Committee. The letter of transmittal to PLUM from Planning can be found at: http://clkrep.lacity.org/onlinedocs/2018/18-0437_rpt_PLAN_10-18-2019.pdf. The PLUM Committee agendaized the Plan on its Oct. 22nd meeting and forwarded it to the full Council. The Council agendaized it on Nov. 5th and it was adopted 10-0-5. The full Plan can be found at: http://clkrep.lacity.org/onlinedocs/2018/18-0437_ord_draft_10-23-2019.pdf.

We are reviewing to see what changes have been made. (It has been reported that some "technical" changes were made.) A red-line version has been requested.

The Council File page with links to all actions and documents can be found at:

(<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=18-0437>)

The council file notes that the measure was posted/published on 11/8, that the deadline for the Mayor to act is Nov. 18th, and that the ordinance effective date is December 19, 2019.

2) CD 5 is hosting a meeting on Nov. 19th for HOA presidents and WNC leadership on the Homeless **Permanent Supportive Housing project** slated for the DOT parking lot on Santa Monica Blvd. That meeting is being held in preparation of a larger community meeting to provide information to the public about the approved RFP to Weingardt Center to go forward with finalizing a contract for the Measure HHH-supported project that seeks to pilot construction methods that lower the cost/unit of homeless housing.

3) The Department of City Planning's "**Planning the Westside**" team continues to work on updates to community plans in Westside neighborhoods and is currently in the process of evaluating public input to inform policy development, which will be presented to the community later this year.

Materials from the second series of community meetings completed over the summer are published [online](#) as well as more information about the next steps on how to get involved in the update process. To receive emails and stay up to date on upcoming events, sign up on the Westside Community Plans website, www.planningthewestside.com. Also, you can follow the community planning process on [Facebook](#).

Additional comments to submit to Planning?

4) Council Transportation Committee considered a measure to create a pilot program to allow for digital rooftop signage on taxicabs at their 11/13 meeting. It passed out of T Committee. DOT staff to create report on what a pilot program might look like. Council File 19-0104-S1. Despite a number of CIS statements from Westside NCs/CCs, Councilmember Koretz supported the measure. CM Bonin opposed.

5) The State Housing Dept. has denied SCAG's letter of opposition to the State-imposed **6th cycle RHNA (Regional Housing Needs Assessment) SCAG housing goal** of 1.3 million new units. The PLUM Committee has acted to oppose SCAG's allocation of housing units to LA City from amongst the members of SCAG. The allocation places the vast majority of new housing units in LA leaving smaller cities and Inland Empire counties and cities with a relatively small burden. It is LA's position that we should not be punished for having stepped up and already have initiated significant new development policies while others have done little. (However, it should be noted that while the Council opposes the higher RHNA figure and SCAG's allocation of responsibility for meeting the statewide goal, Mayor Garcetti appears to be supportive of the higher goal and of LA's role in providing for more housing. The problem with accepting higher goals that are not realistic is that it is expected that the State will be penalizing cities that do not reach their goals by withholding state funding of local programs

(transportation, housing, etc.) At last week's SCAG meeting, a number of LA City Councilmembers attended to vote to oppose the RHNA Methodology and the SCAG Board voted to get behind a proposal championed by Riverside local governments, that endorses sweeping changes to the methodology. That proposal passed 43-19. [More information in this LAist article about the process and the changes.](#) Next steps? Will any of SCAG's cities take legal action to challenge the state assigned goal?

BACKGROUND: The final goals will determine how many housing units each of SCAG's city members (including Los Angeles) will have to zone to accommodate in the coming housing planning cycle (the 6th cycle: 6/2021-10/2029). Zoning is meant to meet current and future population needs and will determine the levels of density needed to accommodate those needs.

SCAG and its members studied available relevant demographic data and took input from all its member cities and from the public. Based on that extensive research, outreach and consideration, SCAG recommended to the State that the SCAG alternative proposed 6th Cycle goal consisted of a range of total housing unit needs between 823,808 and 920,772. The State, however, recommended a goal of 1,344,740 units. Abundant Housing lobbied the State HCD to assign SCAG with a goal of 2.7 million units(!).

6) PROJECT UPDATES

a) CPC hearing on the appeal of the approval of the **TOC project at 2301 Westwood Blvd.** was heard on Oct. 24, 2019. A number of local residents appeared and spoke at the hearing as did WNC Land Use Committee members Broide and Rogers. The CPC denied the appeal.

b) PLUM Committee hearing on the CEQA appeal filed on the **2136-2140 Westwood Blvd. TOC project.** The appeal was denied by PLUM and is on the agenda at Council for Nov. 12.

c) 2930-2938 Westwood Blvd. TOC project approved. Deadline for appeal was 11/4.

d) 10275 W. Pico Blvd. CUB application. Restaurant use with outdoor rear patio proposed. Presentation to WNC in January.

e) 2600-2616 Sepulveda Blvd./11164 Richland – 43 Unit TOC project

II. THIS WEEK AT CITY HALL MTGS. RE: LAND USE-RELATED ITEMS:

1) City Council Tuesday 11/12 – **Item 9: 19-0319** – The CEQA appeal re: 2136-2140 Westwood Blvd. TOC project. **Item 23: 19-1382** Motion and Resolution authorizing the Department of City Planning (DCP) to apply and accept a grant in an amount up to \$625,000 under the SB 2 Planning Grant Program to promote housing in the City.

2) **PLUM Tuesday: Cancelled.**

3) City Council Tuesday, 11/13 - **Item 11: 19-1129** Planning and Land Use Committee report on anti-displacement zones around market-rate or luxury housing developments that contain zero affordable units, and cap rent increases.

III. LA City Planning Dept. update: The Department is currently working on the following issues and is expected to release related documents soon:

a) 2 ordinances related to **cannabis.** One (released 10/18 with staff hearing 11/13, 10am) addresses technical corrections in existing legislation. The hearing notice with case info can be found at: Planning4LA.org/plans-policies/proposed-land-use-regulations. Comments are due by 11/18 (and after that comments will need to be sent to the City Planning Commission). The second ordinance will create the mechanism for legal on-site consumption of cannabis (cannabis lounges) to take effect in 2020 if adopted.

b) Downtown Community Plan release. This Plan will incorporate the new land use zone designations developed under the recode initiative and will create possible models for other communities to adopt. It will have no specified parking requirements for projects to meet. Draft plan can be found at:

c) Sober Living report to Council (in response to a motion request for an update as to what might be possible re: regulations/enforcement given the experiences of different cities): This

report will address the many different models of group living of concern and that reflects the changing housing marketplace.

d) Short Term Rentals in Vacation/2nd homes: Another report in response to a request from some councilmembers who support expanding the short term rental program to second homes, and in response to intense lobbying by the short term rental platforms and their hosts. A draft is expected shortly with a tentative public hearing in November. Impact on housing supply? Will this trigger construction of ADUs and Jr. ADUs and make R1 properties more attractive to speculators (and more expensive to families to rent or buy)?

e) Sign Ordinance: The dept. and City Attorney's office have been instructed to draft an ordinance based upon PLUM's recommendations to provide the Council with maximum "discretion" on a number of sign-related issues. The courts have struck down City action when it appears to be discretionary so it will be interesting to see how the draft ordinance has been crafted. NCs have come in in support of the Planning Commission's Oct. 2015 set of recommendations that has come to be known as "Version B+." It is expected to return to CPC early next year.

f) Ridgeline Ordinance: Staff work being finalized on the measure

g) Recode Processes and Procedures Section: undergoing final review section by section to assure that authorities for decision making have not been changed in any way. A hundred processes have been reduced down to 60. Expect to see it early next year.

h) Restaurant and Beverage Program: Finalizing details to allow certain restaurants to be able to obtain over the counter alcohol permits for alcohol service that accompanies food service. Removes those establishments from the CUB/CUP process.

i) Digital Signs on Taxicabs: Was heard at Transportation Committee on 10/13 Agenda Item 15.

j) Reminder: Deadline for registering for home sharing by those who rent on short-term rental platforms was Nov. 1st. Letters are going out to those who have failed to register. Compliance is urged. Registration portal is at: <https://Planning4LA.org/home-sharing>. 24/7 Complaint hotline: 213 267-5464.

k) Digital signs on Taxicabs/CF 09-0104-S1 (Martínez/O'Farrell): Measure to allow digital signage on taxi cabs in a proposed pilot program (a specified number of taxis) will be heard/was heard in Transportation Committee on Nov. 13.

l) Wildlife Pilot Study Workshop: Learn and provide feedback on how the City can support and protect its wildlife habitats --Saturday, Nov. 16, 10am-12 pm. Open house format with presentation at 10:30 am. Note that the proposed area is expanded to include the entire Santa Monica Mountains between the 405 and the 101. Meeting location: Franklin Canyon Park MRCA Auditorium, 2600 Franklin Canyon Dr., BH. Park: Franklin Canyon Park Main Parking Lot to the left of the William O. Douglas Outdoor Classroom sign heading south on Franklin Canyon Dr. Visit website: <http://planning.lacity.org/plans-policies/initiatives-policies/sustainability>

Regarding Recode LA: Whereas current zoning designations tell the observer something about the intended land use (such as R1, C2, C4, M) the designation does not describe what can actually be built on a given property. Under ReCode, every zone will have five characteristics or components: Form (How big: Ht, FAR, Setbacks), Frontage (How it relates to the street: storefronts, garage placement, stoop required?, windows, etc.), Development Standards (Vehicle or bike parking, onsite signage), Uses (what is permitted inside?), and Density. The application of the new recode designations is being rolled out community plan by community plan as they are being rewritten. Downtown first, then Boyle Heights and so on...

What will the impact of SB 330 be on LA and its Planning Dept and programs? Staff have been instructed to review and report to Council on this. There are significant UNFUNDED requirements that the City will be required to meet.

IV. SACTO UPDATE

Governor Newsom signed a package of bills “to remove barriers and boost housing production” as part of his “housing tour” of Southern California last month. Included in that package were bills removing the ability of local government and their communities to have input into the future of their neighborhoods. A detailed list of the legislation is a separate handout. It is important to note that SB 330 by Berkeley Senator Nancy Skinner was adopted. It was largely opposed by local governments statewide and establishes the “Housing Crisis Act of 2019,” which will accelerate housing production in California by streamlining permitting and approval processes. This is the bill that, among other things, will limit cities to holding no more than 5 hearings on a project during the entitlement process – no matter how large or complicated a proposed project may be. It contains provisions that will ensure no net zoning loss (downzoning) from January 2020 land use designations, limits fees charged by municipalities and creates new pathways for developers to file litigation against cities. Justifying the bill as a response to the state’s housing crisis is a false narrative: The bill does not create, require or incentivize a single, solitary unit of lower income or other housing. What it does is it gives developers tools to refuse to engage with the neighbors or the city. It puts all the benefits gained directly into the pockets of private for-profit developers who will benefit. There are no protections against demolition of historic structures. Its reduction or elimination of local parking requirements helps no one except the developer who no longer has to pay for it.

A summary of the bills signed by the Governor on housing can be found in a press release from his office: <https://www.gov.ca.gov/2019/10/09/governor-gavin-newsom-signs-18-bills-to-boost-housing-production/>

Those bills include SB 68 which allows for JUNIOR ADUs in addition to ADUs on an R1 lot: AB 68 (Philip Ting of San Francisco) will further facilitate the construction of ADUs and remove local barriers/requirements to their approval and construction. That bill also introduces the concept of a Junior ADU which will be permitted in addition to the construction of an ADU on single family zoned lots. Per the Governor’s press release, this “will increase production of these low-cost, energy-efficient units and add to California’s affordable housing supply.” (However, the analysis of this policy did not address the possibility that increasing the permitted density on R1 properties will only further place them out of reach of the prospective homeowner – making R1 lots more desirable to speculators and real estate investors.) The impact on local infrastructure was also not taken into account.

5. Current articles of interest re: Land Use/Housing

https://therealdeal.com/la/2019/09/18/airbnb-yes-airbnb-says-it-wants-to-fix-californias-affordable-housing-crisis/?utm_source=internal&utm_medium=after_article&utm_campaign=related_article

https://therealdeal.com/la/2019/10/09/developers-rejoice-newest-state-law-aims-to-boost-housing-production/?utm_source=internal&utm_medium=after_article&utm_campaign=related_article

<https://www.citywatchla.com/index.php/2016-01-01-13-17-00/los-angeles/18568-another-bogus-claim-for-market-driven-planning-los-angeles-is-on-the-verge-of-a-population-boom>

<https://abundanthousingla.org/we-did-it-over-1-3-million-homes-coming-to-socal-concentrated-in-coastal-job-rich-cities/>

LA Times article on Macy’s re-do coming at Pico/Overland: Nov. 2, 2019, pages C1 and C4.