

Land Use Report – August 2021

LA CITY:

Housing Element DEIR released for comments: <https://planning.lacity.org/plans-policies/housing-element-update#draft-plan>

The City has released the Housing Element DEIR and related revised portions of the Safety Element.

You will note that the entire DEIR has NOT been released as of yet. (Does that mean that the deadline for comments noted as September 9 is incorrect as we should have full access to the document in order to be able to comment?)

To comment on the Draft Housing Element, please submit an email to the team at HousingElement@lacity.org. Comments will be accepted until September 9th (on some documents the deadline is noted as Sept. 7th) after which additional comments may be submitted by email to the City Planning Commission at cpc@lacity.org.

Keep in mind that the City must submit a fully approved document to the State by mid October (10/15).

Note that within three years of the approval of the Housing Element, the City must provide the State with actual documentation/mapping as to which properties will be rezoned in order to comply with the Housing Element (and the RHNA goals). ***Given that four of the Westside Community Plans are currently underway, does that mean that our areas (and the other area community plans now being drafted across the City) will bear the brunt of the upzoning as there will not be time to start up the next round of community plans and get them to completion within the three year window? What about those plans already completed earlier? What is the chance that they could be re-visited after completing their community outreach and having been adopted by the City? This creates tremendous pressures on our communities now doing community plans.

Related Safety Element revisions FAQ: https://planning.lacity.org/odocument/41b7a274-edf5-40c5-915e-4159af167d4c/Safety_Element_Summary_of_Amednements_FAQS.pdf

Housing and Safety Element Webinar recording:
<https://www.youtube.com/watch?v=qTRFWNnBDOY>

To have an idea of what must be included in the Housing Element you may wish to refer to a checklist provided on the State HCID website: <https://www.hcd.ca.gov/community-development/housing-element/docs/housing%20element%20completeness%20checklist.pdf>

STAP PROGRAM/Streets LA

See a short tour of the North Hollywood Shelter demo:
<https://twitter.com/Spottnik/status/1417242310539022342>

See additional photos of the demonstration shelters:

<https://twitter.com/BSSLosAngeles/status/1417290392152641536/photo/1>

Want to submit a comment to Streets LA? Go to:

<https://scenic.salsalabs.org/labusshelterdesigns/index.html?eType=EmailBlastContent&eld=11640992-1398-4bd2-b8bc-ffbe8b7f261c> and/or the City's feedback form at:
<https://streetsla.lacity.org/coordinated-street-furniture-program-feedback>

There are currently 8000 transit stops in LA City. There are current 1900 transit shelters in place. The City will own the 1900 existing shelters at the expiration of the current contract in December and will be free to use them provided that they do not have advertising on them. The plan by Streets LA is to refurbish these shelters and to place them where needed (likely in locations where there is high ridership that warrants a shelter but that would not generate ad income to warrant getting a shelter). It is not clear who pays for the refurbishment (and if it is part of the 3,000 goal of the current proposed project or whether the 1900 would be in addition to the 3000). (Will the City end up with 3,000 shelters for the 8000 stop or 4,900 shelters?)

The two vendors who were selected to continue in competition to "win" the City's new contract for transit shelters were instructed to demonstrate their most sophisticated/technologically advanced shelters in a roaming "show and tell" that has been underway in selected locations around the City. The shelters by Tranzito and Decaux/Outfront were recently placed at the LA Muni Center where Westsiders could view the shelters and ask questions about them. A survey by StreetsLA staff was also available (and can also be found online). The answers given are fairly meaningless given that those responding had very incomplete information about the options they were being asked to judge. No one viewing the shelters had been told:

--what the instructions given to the vendors was. We did not know that they were meant to be displaying the most technologically advanced (expensive) shelters

--what the other 5 possible shelters that were submitted to the City looked like. The vendors submitted six models to the City at varying levels of sophistication/expense.

--what the cost of any of the shelters might be

--what the City would be investing (and where the money would come from if the City followed through with two of the program options that has the City providing 50% or 100% of the capital outlay for the new program. (The third option is that the vendor pays all capital expenses.) If the City owns all or part of the shelters, the City will receive a greater share of the advertising income. What financial difference would City investment make?

--no mention at all was made about data tracking, security, etc.

Of note: In addition to the tricked out shelters displays, Decaux displayed a "sunblade" designed to provide shade to waiting riders with a fold down seat (or one that in its folded position made room for a wheelchair rider to sit in the shade provided). That shade blade was compact and had no advertising. It did have connectivity to display bus arrival times, etc. Interesting new option for locations where no shelters would be placed.

See “Truth Squad on STAP” from Coalition for a Scenic Los Angeles (pasted at bottom)

The 2012 audit of the current program by Controller Greuel’s office can be found at:
<https://drive.google.com/file/d/0B3IjsmeY6c5PREVNUDJGbjJyeFk/view?resourcekey=0-1GTPc6GwTUW1W1t2OPpb1Q>

Processes and Procedures Ordinance – Efforts to inform and educate City Council member and their land use staff as to the impacts of proposed changes now included in the draft measure are ongoing. NCs urged to oppose the measure as now written for its removal of language that gives NCs land use review authority and for changes in decision-makers on land use issues that would take away authority from the City Council and give it to the Director of City Planning whose decision(s) would not be subject to appeal. Motion by Koretz requested DCP to prepare a chart that illustrates all the proposed changes that have been written into the new P & P chapter which was meant to be a gathering of existing policy and procedures, not a re-write or change of any of those items. Also in question: A change in how FAR is calculated that will likely allow for mini mansions and larger developments. The DCP has refused to release a red-line version of the current policies and procedures that shows how the old and new language compare.

Council File Number: 21-0002-S106 The Koretz-Lee motion to have LA City oppose AB 1401 is pending before the Council’s Rules, Elections and Intergovernmental Relations Committee. AB 1401 removes any minimum parking requirements from ALL developments within a ½ mile of transit.

The recent CLA report on the motion recommends that the City support the Koretz-Lee motion and take action to oppose AB 1401. Those supporting AB 1401 do not realize that this measure will take away an important tool from local municipalities that has been used to leverage for the production of affordable housing. Giving away parking requirements “by right” without anything in return will serve to undermine programs such as the TOC program in LA which reduces or eliminates parking IN EXCHANGE for the provision of affordable housing.

This is another misguided measure that on the surface appears to reduce the cost of housing production but in reality is a give-away to developers and enables them to build whatever they wish without any responsibility for helping to address the housing affordability crisis.

SAMPLE MOTION: The _____ NC supports Council File 21-0002-S106 to oppose AB 1401 which takes away an important tool from municipalities to leverage for the production of affordable housing.

SEE the CLA Report: https://clkrep.lacity.org/onlinedocs/2021/21-0002-S106_rpt_cla_6-15-21.pdf

Council File 21-0861 – RE: inspection practice changes for high-rise buildings to prevent a Florida-like collapse

<https://kfiam640.iheart.com/content/2021-07-30-la-councilman-seeks-report-into-high-rise-building-inspection-practices/>

Motion (Koretz - Price) relative to instructing the Los Angeles Department of Building and Safety, with the assistance of the Bureau of Engineering, and the Fire Department, to prepare a report with recommendations on the existing inspection protocols for high-rise buildings, best practices for inspections, and the preparation of maps identifying high-rise buildings, by Council District.

Referred to the PLUM Committee

CF 20-1139 To create cool roof and cool surface requirements. City Attorney report R21-0226, dated July 13, 2021 relative to the revised draft Ordinance amending LAMC Chapter IX, Article 9, Sections 99.04.106, 99.05.106, 99.11.101, 99.11.102, and 99.12.101, of Article 9 to create cool roof and cool surface requirements. Referred on 7/14 to PLUM. CFile at:
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-1139>

CF 21-0002-S81- RE: Inclusion of AB 854 (Lee) in the City’s 2021-22 State Legislative Program. AB 854 would require a minimum of five years of ownership prior to becoming eligible for invocation of the Ellis Act. The CLA report supports the passage of AB 854 will help to minimize evictions and speculative buying practices. Referred to Rules, Elections, and Intergovernmental Relations Committee on 7/13.

Council File at:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=21-0002-S81>

CF 21-0867 – Motion to amend the LAMC concerning Large Family Day Care Homes, to comport with SB 234 (Skinner): SB 234 seeks to address the growing need for child daycare facilities and makes clear that:

A city or county government cannot require an operator to get a zoning permit (including a CUP) or business license for a large or small family child care home and covers homes in both an incorporated or unincorporated area. Under SB 234, all family child care homes are allowed in any residentially zoned neighborhood: Single-family homes, apartments, condominiums, townhomes, duplexes, all other multi-family buildings. The homes must still meet state child care licensing and state fire requirements for family child care homes. No. SB 234 deleted the language in the law that allowed cities and counties to have “reasonable requirements” just for large family child care homes in the areas of spacing & concentration, traffic control, parking, and noise control.

Starting January 1, 2020, large family child care homes must be treated the same as small family child care homes under all local laws. Cities and counties must treat all small and large family child care homes as a by right, residential use of property.

Small and large family child care homes must follow the same laws as any other residential home, but cities and counties cannot make special rules that only apply to family child care homes.

Landlords, HOAs and property managers cannot stop someone who wishes to operate a family child care home from renting a home only because it is a licensed family child care home (nor can they evict someone because they have a licensed family child care home). However, a landlord’s permission is still needed: if one has a small family child care home (up to 6 kids) and one wishes to care for 7-8 kids, or if

one has a large child care home (up to 12 kids) and wants to care for 13-14 kids. The duty to tell a landlord in writing that one has or plan to open a family child care home remains. Landlord permission is still needed to increase the size to allow or 2 more children.

Refer to Child Care Center SB 234 FAQs at: <https://www.childcarelaw.org/sb234-resources/sb-234-faqs-for-family-child-care-providers/>

Text of Bill SB 234: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB234

The measure includes this language: “Family daycare home” means a facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home.

(b) “Large family daycare home” means a facility that provides care, protection, and supervision for 7 to 14 children, inclusive, including children under 10 years of age who reside at the home, as set forth in Section 1597.465 and as defined in regulations.

(c) “Small family daycare home” means a facility that provides care, protection, and supervision for eight or fewer children, including children under 10 years of age who reside at the home, as set forth in Section 1597.44 and as defined in regulations.

Council File 21-0865 - Advanced Aerial Mobility (AAM) / Urban Aviation / Commercial Drones / Regulatory Framework / Permitting / Fee Structure – Introduced 7/30//21 and referred to Transportation Committee.

CF 15-0129-S1 Permanent ordinance to implement the Mello Act which requires that all new housing developments subject to the Mello Act provide affordable housing. Referred to PLUM by CPC 6/16/21.

“Economic Development and Land Use” Report and its potential applications in land use planning: City Controller’s office retained Beacon Economics (outside research/consulting firm) to analyze LA’s economy over the past 10 years and assessed how the City could best position itself to improve its economic outlook in future years. The study was released 8/24/20, highlighting growing and declining industries and where they are positioned in various communities throughout the City. Recommendations are also included as to how the City may foster growth of emerging industries to grow the local economy. Report referred to Budget and Finance Committee. Find the Report from Controller at: https://clkrep.lacity.org/onlinedocs/2021/21-0804_rpt_07-15-21.pdf

METRO RELATED:

Metro is conducting an Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) for the proposed 1-405 Sepulveda Pass ExpressLanes project. They are exploring ways to improve traffic

flow and increase vehicle pass on the 405 through the Sepulveda Pass, which could include adding a dynamically-priced high-occupancy toll (HOT) lane--like the ones on the 110 and 10 Freeways--and/or converting the existing carpool (HOV) lane to a HOT lane. Your feedback is needed on the project alternatives and to identify issues that may need to be addressed. Please submit comments [here](#) or join a virtual meeting.

- Saturday, August 14, 2021, 10am–12pm
 - ID: 948 4124 4717 | Passcode: 807271 | Call-in: 213-338-8477
 - [Register here](#)
- Tuesday, August 17, 2021, 6– 8pm
 - ID: 926 0660 7560 | Passcode: 114859 | Call-in: 213-338-8477
 - [Register here](#)
- Wednesday, August 18, 2021, 11:30am – 1:30pm
 - ID: 964 9534 8721 | Passcode: 059906 | Call-in: 213-338-8477
 - [Register here](#)

STATE MEASURES:

The State legislature is on summer recess now and until August 16th. This presents an opportunity to reach out to local representatives to schedule meetings and conversations on pending legislation.

The calendar for the current session is as follows:

Aug. 16—Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

Aug. 27—Last day for fiscal committees to meet and report bills (J.R. 61(a)(12)). Aug. 30-Sep. 10—Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(a)(13)).

Sep. 3—Last day to amend bills on the floor J.R. 61(a)(14)).

Sep. 6—Labor Day.

Sep. 10—Last day for any bill to be passed (J.R. 61(a)(15)). Interim Recess begins upon adjournment (J.R. 51(a)(4)).

Oct. 10—Last day for Governor to sign or veto bills passed by the Legislature before Sept. 10 and in the Governor’s possession on or after Sept. 10 (Art. IV, Sec. 10(b)(1)).

Senate bills (SB 9, SB 10, and SB 478) have been passed by the Senate and are in the Assembly.

These measures undermine local government land use and planning authority and micromanage zoning of the state from Sacramento without regard for infrastructure. They fail to require any affordable units and create incentives for gentrification, destabilizing communities and make it difficult if not impossible for individuals and families to buy a home in the future. It incentivizes the purchase of single family homes by Wall Street institutional investors who view R1 properties as excellent and reliable generators of solid returns on investments. Families will be shut out of the housing market—unable to bid against deep—pocketed wall street interests and their all-cash offers. These measures will create a large and growing tenant class at the mercy of large institutional absentee landlords—thus changing the housing landscape forever. These bills fail to address infrastructure needs that must accompany added densification and will make it more expensive for cities to build infrastructure as it is the developers and institutional investors who will decide where density goes (in a

possible hodge podge manner) making it more expensive for cities to deliver needed services/infrastructure. Taxpayers will be responsible. Land use planning should be done by local government with input from community members – not by developers, land speculators and Wall Street and venture capital funds.

SB 9 has been re-referred to the Assembly Appropriations Committee after having passed through the Assembly Housing and Community Development Committee.

More info on each bill, including the text of the bill, can be found at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB9 (for SB 9) and at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB10 (for SB 10).

New website: stopsb9.org

Sources for info: Livable California, United Neighbors

SB 10 could be heard as early as August 16th in the Assembly.

See article in CityWatch: <https://www.citywatchla.com/index.php/cw/los-angeles/22227-the-looming-dangers-of-california-state-senate-bills-9-and-10>

AB 1401 (Friedman) that makes minimum parking requirements no longer possible for all development -- commercial and residential development -- within a half mile of transit, is in the Senate. The Koretz motion to oppose AB 1401 (Council File Number: 21-0002-S106) has been referred to the Council's Rules, Elections and Intergovernmental Relations Committee. The CLA recommends that the Council oppose AB 1401 and support the Koretz-Lee motion.

This measure removes an important tool from local government by giving away parking reductions in exchange for NO affordable housing. The City of LA offers parking reductions as part of its TOC program in exchange for the inclusion of affordable housing.

Councilmember Koretz introduced a motion to oppose this measure but it has not moved forward in LA City Council.

See: https://clkrep.lacity.org/onlinedocs/2021/21-0002-S106_rpt_cla_6-15-21.pdf

[This measure will be heard in the Senate. Contact State Senators to oppose.](#)

The Federal protections against Covid-related evictions has been extended to October 3rd. Note: California /Los Angeles tenants have additional tenant protections that would have prohibited evictions as of July 31 had the Federal protections been allowed to expire.

What is important to note is that there have been billions of dollars given to states for a program meant to assist tenants pay back rent. Only a very small portion of that program has been accessed to date. “Cities and states have been slow to roll out their programs.”

The Centers for Disease Control and Prevention on Tuesday issued a new moratorium on evictions that would last until October 3, as the Biden administration sought to [quell intensifying criticism](#) that it was allowing vulnerable renters to lose their homes during a pandemic. The new moratorium [could help keep millions in their homes](#) as the coronavirus’ delta variant has spread and states have been slow to release federal rental aid. It would temporarily halt evictions in counties with “substantial and high levels” of virus transmissions and would cover areas where 90% of the U.S. population lives.

FEDERAL LEGISLATION

Drafts of the infrastructure package contained the Housing as Infrastructure Act of 2021 that was proposed by Maxine Waters. In addition to some good programs and funding allocations within that package was a measure that incentivizes the elimination of R1/single family zoning. **Seen in Section 303 of the measure, it would provide \$15 billion in competitive grants to eliminate exclusionary zoning.**

Language that furthers fair housing is always good but this is language that appears to be targeting single family neighborhoods.

As of this writing, it appears that it was not included in the Infrastructure bill BUT there are efforts to include it in the Reconciliation bill which suggests that contacts should be made with Congressional reps.

ARTICLES OF INTEREST:

<https://voiceofoc.org/2021/06/city-officials-across-orange-county-are-taking-the-state-mandated-housing-battle-to-court/>

City Officials Across Orange County Are Taking The State Mandated Housing Battle to Court

BY **HOSAM ELATTAR** Jun 12, 2021

City council members throughout Orange County are looking to fight the state’s housing department in court after cities were mandated to zone for over [180,000 new homes](#) in the next 8 years.

Late last month, the Orange County Council of Governments Board of Directors — a sub-regional planning organization made up of elected city officials — voted 15-0 to “authorize legal counsel to file a petition for writ of mandate” against the California Department of Housing and Community Development (HCD) over the matter. Three board members were absent.

“HCD did not follow the statutes outlined in state law to develop the projected number of units needed in the next eight years to adequately house Orange County’s population,” reads a [statement](#) from the chair of the board and Anaheim Councilman Trevor O’Neil.

The housing amount determination was part of a cyclical process that sets housing goals for cities across the state, called the Regional Housing Needs Assessment or RHNA for short.

Fred Galante, general counsel for the organization, explained the petition is a legal challenge on how the state’s housing department came up with their allocations and said they plan to file it next week.

“HCD had to follow statutes to come up with the RHNA allocations,” Galante said in a phone interview. “We don’t believe they did it according to the statutes.”

Newport Beach Councilwoman Diane Dixon, who sits on the board, said cities in the county did not receive a fair methodology in allocating the number of homes they have to zone for.

“It’s really challenging the original process and methodology of how those numbers were assigned,” Dixon said in a phone interview.

Alicia Murillo, a spokeswoman for the state’s housing and community development department, said they do not comment on pending litigation.

But, she said they “stand by the credibility and legality of its Regional Housing Needs Determinations for the sixth cycle housing element throughout the state, and contends that the methodology accurately captures housing needs in compliance with legislation passed in 2017 and 2018.”

Some housing advocates, like Eve Garrow with the ACLU, say there should be a focus on meeting the housing needs of low-income families, “rather than trying to skirt state mandates meant to ensure that all residents are able to live and thrive in homes they can actually afford.”

Nonetheless, the battle over housing mandates has been brewing between the state and Orange County cities for well over a year now.

It started after the state assigned the [Southern California Association of Governments](#) (SCAG) — made up of city council members across the region — to come up with zoning for 1.3 million homes across six counties, including OC, by 2029.

Orange County ended up with [over 180,000 homes](#) — over 75,000 of those have to be very low income to low income homes.

Some cities have to plan for thousands of homes, others are looking to zone for hundreds of homes.

Others have to decide where over 10,000 homes will go, which some city officials have previously called an impossible task.

While the OC’s Council of Governments is pushing back against the state, cities including Newport Beach are working to meet those numbers.

But it wasn’t without resistance.

Roughly half of cities in the county filed [appeals](#) with the Southern California regional board to try to bring down the number of homes they have to zone for by the 2029 deadline.

The regional board denied all of the appeals.

Garrow questions why city officials are resisting the call to be accountable to their lower income constituents who need housing they can afford.

“What we’ve seen so far is the overproduction of very expensive housing for high income people and households and the under production of housing for low income households,” Garrow said.

Much of the [uproar from the cities came over the methodology](#) the regional board used to distribute the housing goals across Southern California.

State Assemblywoman Janet Nguyen introduced a [bill](#) this year that would allow cities to request judicial review of the methodology used to determine a city’s housing needs.

[City officials all over the state are calling for greater local control](#) on zoning and housing issues within their own borders in response to recent state legislation they say usurps their governance.

“A centralized planning agency, like Sacramento, in our opinion can not understand the different nuances between Newport Beach and Carlsbad ... every city is different,” Dixon said.

“I have to strongly emphasize no one is opposed to building more homes or affordable housing that should be left to local control who best know their communities.”

Garrow said there needs to be stronger state leadership when it comes to addressing the shortage of subsidized affordable housing, especially in Orange County.

“Local governments have done an abysmal job meeting the needs of low income households for safe, affordable housing,” Garrow said.

Dixon said there are many contributing factors that increase the cost of homes, including environmental laws that delay building.

Meanwhile, County residents have identified housing and homelessness as the most important issues, according to the [2020 Orange County Annual Survey conducted by Chapman University](#).

“Surveys reflect the reality which is that large swathes of our population in Orange County are truly suffering because they lack access to safe, affordable housing. This is why again and again, this issue comes up as a top concern for Orange County residents,” Garrow said.

Garrow said there is a pattern between the overproduction of high income homes and the homeless crisis.

“We have people living in cars, on the streets and in mass shelters instead of in safe, affordable homes and it needs to end. Every level of government needs to play a role in addressing these inequities including our local governments. The issue for me is that they haven’t done it.”

Hosam Elattar is a Voice of OC Reporting Fellow. Contact him [@helattar@voiceofoc.org](mailto:helattar@voiceofoc.org) or on Twitter [@ElattarHosam](https://twitter.com/ElattarHosam).

<https://larchmontchronicle.com/rezoning-not-required-to-produce-needed-affordable-housing/>

<https://calmatters.org/commentary/2021/07/more-housing-and-more-drought-calls-for-more-thought/>

More housing and more drought calls for more thought

by [Guest Commentary](#) July 9, 2021 Updated July 28, 2021

By Rick Johnson, Special to CalMatters

Rick Johnson is a retired 40-year veteran of the San Francisco water department, arsvitae49@yahoo.com.

Although 41 of California's 58 counties are in drought conditions, legislators are debating bills, such as [Senate Bill 9](#) and [Senate Bill 10](#), that address the construction of housing to meet the state's [Regional Housing Needs Allocation](#).

Between 2023 and 2031, the state mandate for the nine-county Bay Area is 441,000 units, representing an expected population increase of 1,102,500. The allocation for Los Angeles County is 1,327,000 housing units to accommodate an expected population increase of 3,317,500.

The state's propensity to accept the RHNA numbers ignores our drought conditions. Nowhere does the legislation indicate where the additional water for these units will come from, nor does it address impact on infrastructure, such as sewer lines.

Furthermore, none of these bills make mention of the [California Department of Water Resources water plan through 2050](#).

The current version of the plan forecasts an increase of [10 million](#) people by 2050. It also predicts multiple droughts and considers a triad of ways to deal with the state's water needs.

First, the plan suggests the transfer of agricultural water to urban use. But what effect would that have on farm economy, food supply and prices? A good deal of agricultural land already is lying fallow due to decreased or suspended water allotments.

Second, the plan proposes more desalination plants. The latest plant being built in Huntington Beach is a twin to the plant at Carlsbad, which treats 50 million gallons per day at a cost of \$1.4 billion a year. The Carlsbad plant took three years to build; the Huntington plant is expected to take nine years. Each plant can supply the daily needs of 400,000 people.

A major drawback to desalination plants is the power required to run them. During its five years of operation, the Carlsbad plant has had to cut back to 40% capacity when San Diego, along with many other California counties, endures brownouts.

Meeting the state mandate for the Bay Area would require the construction of two Carlsbad-type desalination plants, at a cost of \$2.8 billion; Los Angeles would need eight plants, at a cost of \$11.2 billion. The operating costs of these plants would come out to 2 cents per gallon of desalinated water.

Third, the water plan anticipates expanded water reuse — the use of treated wastewater for irrigation or toilet flushing — or even the blending of treated and potable water.

This is costly, however. The Orange County Water District, for example, recycles wastewater for potable uses via groundwater replenishment using an advanced process that removes “forever chemicals” (poly and perfluoroalkyl substances) at a cost of \$33 million per year. Its reused water (100 million gallons per day) does not contain these chemicals due to the use of reverse osmosis treatment. Non-potable uses of more conventional tertiary-treated wastewater requires separate distribution systems and plumbing under state regulations.

Given all these challenges, wouldn't logic dictate that experts from the state water department be brought to the table with legislators promoting high-density housing?

Furthermore, shouldn't water and power agencies in the San Francisco Bay Area and Los Angeles first be required to do environmental impact reports of their utilities to show whether they can support the added housing allocation numbers — during both normal and drought conditions?

The state has more than \$75 billion in surplus funds for 2021. Why not put \$20 billion of that into an infrastructure fund that could be drawn upon should a particular county need funds to upgrade utilities to meet RHNA housing numbers?

These ideas and others have been raised in one of the many ad hoc groups Californians formed during the pandemic, when they were able to connect with their local, state and federal governments via Zoom and see how “sausage is made.” One such group is Community Catalysts for Local Control, founder Susan Kirsch's pushback against the Legislature's approach to housing.

Solving our dual crises of drought and lack of affordable housing is going to require hard choices. We need to put a range of diverse perspectives and solutions on the table. Joining community groups online is a good way to start.

Editor's note: The text was corrected Aug. 23 to clarify why expanded water reuse is costly.



<https://www.housinghumanright.org/what-is-a-yimby-hint-its-not-good/>

<https://www.mckinsey.com/~media/mckinsey/industries/public%20and%20social%20sector/our%20in%20sights/affordable%20housing%20in%20los%20angeles%20delivering%20more%20and%20doing%20it%20faster/mgi-affordable-housing-in-los-angeles-full-report-vf.pdf>

McKinsey Global Institute Study on Affordable Housing in Los Angeles- Delivering more and doing it faster

Abundant Housing critique of LA County's Housing Element Plan – Twitter post

<https://twitter.com/AbundantHousing/status/1415734398251454464>

The National Association of Realtors in the US has a “[Community and Transportation Preference Survey](#)” that it conducts usually every two years. Last year (2020), wasn't supposed to be a survey year, but given the pandemic, they decided to run it in June and see if people's preferences had changed at all during that time.

<https://www.nar.realtor/reports/nar-community-and-transportation-preference-surveys>

NAR 2020 Community and Transportation Preference Survey

A national poll conducted in July of 2,000 adults in the fifty-largest metro areas found that the Coronavirus pandemic has caused some shift regarding where families with children would like to live, specifically an increased preference to a setting where they can have a detached home with a large yard. That said, interest in walkable communities is alive and well, and there still exists a margin of one-in-five living in a detached home currently that would prefer to live in an attached home in a walkable community with shorter commute. This compares to one-in-ten that would prefer to move from an attached home in a walkable community to a detached dwelling ([slide 30 in Detail Analysis](#)). Finally, people with place to walk in their community continue to be the most satisfied with their quality of life ([slide 10 in Detail Analysis](#)).

https://www.globest.com/2021/01/19/institutional-capital-is-remaking-the-sfrh-asset-class/?kw=Institutional%20Capital%20is%20Remaking%20the%20SFRH%20Asset%20Class&utm_source=email&utm_medium=enl&utm_campaign=nationalamalert&utm_content=20210119&utm_term=rem&enlcmp=nltrplt4

Institutional Capital is Remaking the SFRH Asset Class

SFRH 2.0 includes large institutional portfolios.
By **Les Shaver** | January 19, 2021 at 07:50 AM

After collecting single-family homes all around the country during the Global Financial Crisis, large institutions figured out how to manage these scattered-site properties.

That process of collecting and managing those assets is Michael Carey, Senior Director at Altus Group, calls SFR 1.0. In that period, he says a lot of investors were buying homes one at a time “on the courthouse steps.”

“The ability to manage the space, which you couldn’t do at the initial phases post-GFC, has led to an institutional asset class,” Carey says. “The evolution of this asset class has happened a lot faster than anyone predicted, and it’s just accelerated with COVID.”
Now, that sector has evolved, we moved into SFR 2.0. In addition to figuring out the management riddle, the sector’s metrics are a lot more transparent now, contributing to institutional acceptance.

Right now, Carey says the SFR space offers a premium over multifamily yields, which is drawing a lot of investors. That delta may not be there forever, though.

“We’re seeing that gap close because there’s so much money coming into this [SFR] space right now,” Carey says. “There are billions of dollars coming in, just from who we track and our clients. We were looking at \$5 to \$6 billion coming into the market from March to September, and there’s more than that. That’s just our clients and what we know. So it’s a lot bigger than that.”

Carey expects to see “an explosion” in the number of homes owned by institutional investors.

In 2018 and 2019, Carey says institutional investors purchased about 46,000 homes. In 2020, even with the COVID pause in the Spring, he tracked about 55,000 to 65,000 homes purchased by institutions.

“We think easily there will be 70,000 to 100,000 homes being purchased and constructed in 2021 and 2022,” Carey says. “There are about 50,000 build-for-rent homes that are under construction or planned for development. So that’s a big number.”

As institutions have moved into the space, Carey says there is a greater focus on NOI margins. Ten years ago, they were about 55%. Now, they are 62% to 65% in some of the newer properties. In build-for-rent homes, they are at 70%.

“They’re [the builders] are really focusing on technology,” Carey says. “It’s not just the management of the home, but the repairs, the work orders that come through and the leasing. For example, you see self-showings or contactless move-ins. “

These efficiencies and scale are partially why purpose-built single-family rental communities are taking off in SFR 2.0. Carey says the big players will look for portfolios of up to 2,000 homes.

“Whether it’s build-for-rent or a scatterplot single-family homeownership, you need to have scale in a market,” Carey says. “You need scale in order to operate it efficiently. You can’t go in and own a hundred homes. It does not work.”

https://www.globest.com/2021/08/09/multifamilys-second-half-poised-to-show-even-stronger-growth/?kw=Multifamily%27s%20Second%20Half%20Poised%20to%20Show%20Even%20Stronger%20Growth&utm_source=email&utm_medium=enl&utm_campaign=spotlightonalert&utm_content=20210809&utm_term=rem

The article above includes the following closing remarks:

A lack of affordable housing is another significant issue; 92% of the respondents said that investors are more interested in affordable housing properties this year than last. The Berkadia professionals expect an increase in affordable housing in the West and Southeast over the next two years.

Under current conditions, institutional investors are focusing more on SFRs and build-to-rent opportunities.

A recording for those interested in better understanding what is involved in financing affordable housing projects from a funder’s point of view:

https://www.globest.com/2021/07/26/affordable-housing-developers-need-customizable-solutions/?thoughtLeader=keybank-real-estate-capital&utm_source=email&utm_medium=enl&utm_campaign=thoughtleadertemp&utm_content=20210802&utm_term=rem

THOUGHT LEADER Presented by KeyBank Real Estate Capital

Affordable Housing Developers Need Customizable Solutions

KeyBank Real Estate Capital experts Al Beaumariage and Tori O'Brien share their top tips for getting affordable housing deals to the finish line.

By Kelsi Maree Borland | July 26, 2021 at 03:45 AM

Affordable housing has never been an easy asset class to develop. With rent restrictions inherently built into the business plan, these deals can be difficult to pencil alongside soaring construction costs and land prices. Despite the challenges, there is record demand for affordable housing, and more and more developers are meeting the challenge.

Securing capital is at the top of that list of challenges. Affordable housing experts Al Beaumariage and Tori O'Brien of KeyBank Real Estate Capital say that creating customizable capital solutions is essential to getting affordable housing deals across the finish line. We sat down with Beaumariage, program manager and SVP, and O'Brien, head of equity originations and SVP, to understand the nuances of funding an affordable housing project in today's market.

Hit play on the webpage (https://www.globest.com/2021/07/26/affordable-housing-developers-need-customizable-solutions/?thoughtLeader=keybank-real-estate-capital&utm_source=email&utm_medium=enl&utm_campaign=thoughtleadertemp&utm_content=20210802&utm_term=rem) to hear directly from the speakers about the capital trends informing affordable housing and some real-world examples from their playbook. Note that the speakers are associated with a bank that provides lending for projects and has that bias/skew.

There is mention in the video of pending federal legislation re: funding for affordable housing near 9:32 that discusses how affordable housing tax credits can be used in these projects. Also mentioned is the Affordable Housing Improvement Credit Act and how it will impact bond financing, increase in the 9% credit allocation.

PODCAST OF INTEREST: Re: Contemporary Planning Issues:

The Ezra Klein Show, How Blue Cities Became So Outrageously Unaffordable. New York Times Podcast:
<https://www.nytimes.com/2021/07/23/opinion/ezra-klein-podcast-jerusalem-demsas.html>

The Ezra Klein Show, How Blue Cities Became So Outrageously Unaffordable. Apple Podcast:
<https://podcasts.apple.com/us/podcast/how-blue-cities-became-so-outrageously-unaffordable/id1548604447?i=1000529794720>

Truth Squad on StreetsLA's Bus Shelter Program

By the Coalition for a Scenic Los Angeles / A Chapter of Scenic America (scenic.org/losangeles)
July 19, 2021

StreetsLA, the team in the Public Works Dept. charged with managing street furniture citywide, has created a Sidewalk and Transit Amenities Program (STAP), and it envisions installing 3000 new bus shelters in every part of LA, starting next year. Herewith we offer more information about STAP to give a more complete picture of what is on offer. All of this information comes from publicly available sources.

Neighborhoods will have very little say in what sort of shelters they will get. StreetsLA has already drawn a map with planned locations. If a Neighborhood Council, for example, voted to “opt out” of the new shelters, that vote would be ignored. Council Members Blumenfield and Bonin introduced a motion directing StreetsLA to regulate the digital advertising program in order to “ensure compatibility with their surrounding environments, traffic safety, and land use zones such as specific plans and scenic highways,” but this is both vague and inadequate. Opportunities for public engagement were seriously deficient at the beginning of this project last March; since then the presentations have been one-sided.

Digital ad screens on the shelters will harm street safety. At least 700 of the STAP shelters will have a digital ad screen facing oncoming traffic, 4 x 5.75 feet in size, which changes its message every 8 seconds. StreetsLA staff points out that these new signs are smaller than billboards. This is correct but misleading, because they will also be much lower to the ground and closer to the road. They will thus exacerbate the problem of driver distraction. Pedestrian fatalities are already a serious problem in LA, and the STAP shelters will insert themselves in the very spots where pedestrians gather: bus stops and intersections. The city’s Vision Zero program to reduce traffic accidents and pedestrian fatalities, already failing to meet its targets, will suffer further.

Public service content of the digital messages will be minimal. StreetsLA staff says that the screens will also carry public service messages, but this is misleading because the content will amount to a mere pittance. The city will get five percent of the screen time for free, which amounts to three seconds per minute, to be divided among all of the city agencies and neighborhood councils. No single entity can hope to raise its profile in that environment.

The city never considered an ad-free version. The Request for Proposals yielded four responses from companies interested in contracting with the city. But without an ad-free version in the mix, the choice will be false and not fully informed.

Environmental impact is being slighted. StreetsLA promises only an “environmental review,” but this project requires a full EIR that considers traffic safety, privacy (see below), neighborhood aesthetics, and power usage.

If you come within 20 feet of one of the shelters, you will be tracked. The shelters will all have devices that read demographic and location data from passing cell phones. This includes not only bus riders and waiting passengers, but also passing cars and their occupants. The data will be anonymous, but attaching such data to a person is not difficult because every person’s movements are unique to themselves.

Tracking data will be shared with the contractor that builds the shelters. The city’s Request for Proposals states that the city is obligated to share the data with the contractor, who can then use it to target advertising messages. In a larger sense, we have no assurances that the city and the contractor can keep our data safe from hacking and misuse. And the city is not forbidden from selling the data.

The former street furniture contract will expire at the end of this year, so this is a good time to really consider what we want in our bus shelters. StreetsLA says that they should be “world-class” and we agree. But just think about how distinctive an ad-free shelter would be, especially if it did not track your every movement.

Neighborhood Councils and community organizations need to weigh in on this. File a Community Impact Statement under Council File 20-1536, “opposing unless amended” the Blumenfield-Bonin motion. Contact us for more information. We can make a presentation to your group that is more balanced than the StreetsLA version.

For more information, contact Patrick Frank, President, Scenic Los Angeles / patrick.frank@scenic.org

Sample motions from August WNC meeting: Motions were revised so that they would refer to a Council File motion if available.

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WNC Land Use Committee Motions August 12, 2021 Meeting

1. Housing Element MOTION:

Whereas, the City of Los Angeles (City) is required by state law to update the Housing Element of the General Plan every eight years to accommodate the targets set by the Regional Housing Needs Assessment (RHNA); and Whereas, the City Department of City Planning (DCP) began the process of updating the Housing Element in 2019; and Whereas, DCP released a draft of the Housing Element in July 2021; and Whereas, this update process is taking place concurrently with the Community Plan Update; and Whereas, this draft plan does not include specifications by planning area, neighborhood council (NC) area or by parcel regarding the Housing Element update’s impact and policy application; Therefore, be it resolved that the Westside Neighborhood Council Board of Directors request the Los Angeles City Council instruct the Department of City Planning to release target maps by parcel, neighborhood council area and planning area specifying planned zoning changes and allocated housing targets by income level. Therefore, be it further resolved that a revised draft plan be released in full with appendices to the public as soon as possible as is required by CEQA.

Motion Background: **Housing Element** - <https://planning.lacity.org/plans-policies/housing-element>

BACKGROUND: Concurrent with the Community Plan update and as one of the nine components of the General Plan update, the Department of City Planning (DCP) began in 2020 the process of updating the Housing Element. This element, which is mandated by state law, must be updated every eight years in keeping with the Regional Housing Need Assessment (RHNA) cycles as determined by the Southern California Association of Governments (SCAG).

The City must provide a completed and approved Housing Element to the State in October.
(Date?)

Pursuant to the City's release of the draft of the 2021-2029 Housing Element update in July 2021, this motion requests that DCP release a fuller (complete) version of the draft that includes target maps that explicitly indicate by parcel and/or planning area changes to the City's zoning to accommodate the goals of the Housing Element update. Request for the City of Los Angeles (City) Department of City Planning (DCP) to release a full housing element concept document, including a target map or Target Maps indicating

In short, the Westside Neighborhood Council requests that the City (City Council and/or City Attorney) instruct the Planning Dept. to release the Target Maps prepared as part of the 6th Cycle Housing Element Draft and DEIR for public review as required under CEQA. The public must have access to the full document during the public comment period.

2. Housing Element MOTION (2): Westside Neighborhood Council requests the City Council request the State Housing and Community Development Department and our local state elected officials to revise and delay 6th Cycle Housing Element deadline and the related deadline to complete rezoning maps by parcel within the current three-year deadline.

REVISED MOTION #2

CF 20-0002-S110: Housing Element
Support if amended (updated)

The Westside Neighborhood Council supports the intent of this motion made in June 2020, that was sent to the Rules Committee but never heard, to extend the deadline for Housing Element submission to the State by at least six months for the 6th RHNA Cycle covering 2021-2029. The WNC requests updating the motion and Council action to authorize City representatives to seek our electeds and Governor Newsom's action to extend the Housing Element deadline under emergency powers enacted in association with the Covid-19 pandemic.

Covid has not only impacted the City's ability to successfully outreach to all constituents and perform true community engagement, but the pandemic has resulted in significant changes in land use patterns that should be considered in the crafting of the new Housing Element.

PURPOSE: Request for the City to seek deadline extension for completion of the Housing Element and production of related mapping of sites for rezoning.

BACKGROUND: Under rules established at the State level, local municipalities participate in the updating of their Housing Element (one of the mandated components of the General Plan) every eight years. The scheduling of the updating of the next (6th) cycle of the Housing Element was established prior to the arrival of the Coronavirus pandemic. The pandemic impacted the ability to reach constituents and for the public to be engaged in this process initially in a timely manner and later only by zoom. Additionally, with the pandemic, significant changes have occurred that relate to the ways in which people live and work including notably a change in where people live and work. It is not yet clear how many of those changes will remain after the pandemic, but that information is critical to being able to address the housing challenges faced by our City and State.

It is for these reasons that the current October 2021 deadline for the submission of Housing Element documents to the State is both unrealistic and unwise. Rushing to meet a deadline established prior to Covid will result in the drafting of a Housing Element unable to reflect an adequate outreach and collaboration process and unable to reflect important change in land uses which can create new opportunities for adaptive reuse and the re-thinking of locations where new density might best be placed.

Question: Is it best to request for all, for larger municipalities or for Los Angeles alone?

3. MOTION Bellwood: Motion to approve draft letter regarding Bellwood Senior Residential Living Project DEIR (Case No. ENV-2018-7182-EIR; Address: 10328-10384 and 10341-10381 Bellwood Avenue)

Bellwood Senior Residential Project- <https://planning.lacity.org/development-services/eir>. [Senior Residential Community at The Bellwood | Los Angeles City Planning \(lacity.org\)](#)

4. MOTION STAP Program: Motion to approve draft letter regarding questions and concerns associated with the proposed STAP transit shelter program (with references to issues noted below and any additional comments presented at WNC Board meeting).

Follow up to recent demonstration (display) of STAP program transit shelter prototypes

MOTION BACKGROUND STAP: The City's 20-year-old Street Furniture Program contract is due to expire at the end of the year (December 2021). That contract has been responsible for the

placement of transit shelters, three-sided “Public Amenity Kiosks,” and a limited number of public toilets. The program never reached its financial goals as originally envisioned. The program was designed have an outside vendor be responsible for providing regular servicing of the inventory (keeping them free of graffiti and any damage, collecting trash from their receptacles, etc.) and for the management of the advertising program whereby ads were sold and placed in the display areas of the street furniture. (Bus bench placement and advertising is a separately administered program in LA.)

The revenues from the program are shared between the vendor and the City. The City’s portion has historically been split 50/50 with half going into the General Fund and the remaining half split equally between all of the Councilmembers (regardless of the number of street furniture items in their district). The funds became part of each Council District’s office discretionary monies. (When objections were raised early in the program by CD 5 constituents who questioned placement of some of the Public Amenity Kiosks near corners creating visibility issues, it was other Councilmembers who questioned the ability of Westsiders to question the program and to reduce the potential income generated. What became clear as the program advanced, was that shelters were not placed in locations where the greatest numbers of transit riders were or where the greatest exposure to sun/heat was. In fact, they were being located where the highest revenues could be generated.

The current vendor, Decaux/Outfront Media (formerly Viacom) and the City failed to negotiate an extension to the current contract. As a result, Streets LA generated an RFP for a new contract and did so without seeking any community input related to the current program or a future program. When this was raised with Streets LA (at the time they were near releasing of the RFP), they responded that community input would be sought after the release. The staff at Streets LA (part of Public Works Dept.) did go out on a promotional tour after RFP release which meant that any input was “after the fact”. It must be noted that communications about the outreach sessions failed to address ANY of the most troubling aspects of the proposed program. The invitations to the programs created the impression that the new program would simply be a new version of the existing one. No mention of digital signage or data tracking was made. Concerns over the proposed STAP program include:

--Impacts on street safety and driver distraction. The program includes the replacement of printed advertisements (oversized posters) with digital screens that will feature changing digital ads currently envisioned to change every 8 seconds. Digital billboards are a known cause of driver distraction; driver distraction results in accidents. Yet, this issue has not been adequately addressed by Streets LA. In response to concerns raised, the response has been that these are not typical digital billboards above roadways. These are, in fact, digital signs at street and driver level and more easily viewed by those passing by. Transit shelters serve as a magnet for pedestrian traffic. Why does the City seek to endanger pedestrians as well as bicycle riders and those in other vehicles with a new distraction to capture drivers’ attention? Does this program

seem to ignore the City's commitment to the Vision Zero program? Driver distractions also result in delays in driver response to traffic signals, etc. thus contributing to congestion at busy intersections.

--Invasion of privacy. The program includes technology that will capture information from the cell phones of all who pass. There has been significant discussion about the security of such information, how it will be stored and who will have access to it. The City states that they will store the data (and the vendor will have access to it). What protections against hacking and unauthorized use exist? Why is the data to be collected? How will individuals be able to protect against this intrusion? Is there an opt in option (vs. an opt out option)?

--Where will the funds for the program go? There are many across the City who believe that rather than go to the General Fund that funds should be earmarked for ped/street improvements including the planting of trees in areas adjacent to transit shelters. There are also those that question whether a share should be shared with Council District offices thus creating a perverse incentive for more and more advertisements on our streets. Should all proceeds go into a street improvement fund designated for street tree plantings, cool streets installations, installation of transit arrival displays for those locations where no street furniture is planned. (Sunblades where no STAP installations are planned?)

--How will equity of shelter placement be achieved? The program as described will see the current shelters removed from the best revenue generating locations and replaced with the digital shelters. The old shelters are to be refurbished (without ANY ads -digital or static) and placed in locations that do not warrant shelters with ads. How long will it take to refurbish the existing shelters and when will they be installed? Given the priority to place digital shelters in areas where ad revenues are greatest, this means that the Westside, parts of Hollywood and the Valley boulevards that carry high SES drivers will be the locations of the digital shelters. Is this true equity?

--How will the program be financed? Under the STAP proposal, the City provides three scenarios: That the vendor selected will pay for the actual shelter costs, or that the City will pay for 50% or 100% of the shelter costs. The greater the City investment, the higher a share of revenues will be received. Where will the money come from to pay for the shelters?

--Should this program be the subject of an EIR process? The vast impact of digital shelters suggests that an analysis under CEQA should be done. Further, the nature of the program must be analyzed vis a vis past court decisions that describe the City's ability to regulate off-site signage. Does this program endanger the City's ability to regulate signage? Will it open the City up to litigation from outdoor advertising companies challenging the City's sign regulations and its 2002 Sign Ordinance that bans new billboards with the exception of those in established Sign Districts?

--Are there more cost-effective ways to increase the sheltering of transit riders? The City has 8000 transit stops across the City and yet this program proposes to provide only 3,900 shelters.

At the instruction of the City, the vendors took their demonstration shelters across the city to be viewed over a two-day period at each stop. Those who viewed the shelters were asked to complete a survey given by Streets LA with input as to their preferences given what was seen. What no viewers knew was that the vendors had been instructed to show their MOST technically sophisticated (and expensive) shelters from among the six shelter designs they had submitted to the City. None of the other five designs were shared with the viewing public. There is no way to know whether the demonstration shelter model would be used at all, some or a few of the future stops. There was no information shared as to the cost of the display shelters or of the comparative costs (or appearance) of the unseen shelters.

In addition to the large shelters on display Decaux demonstrated a "Sunblade Shade" which is designed to provide shade for transit riders as an alternative to a traditional shelter. One or more could be installed at a location. (See photo) There are no ads displayed on the Sunblade Shade, there is a drop down seat and a panel to provide notification of coming transit. Are these items being considered for installation? (Were they one of the six options submitted to the City?)

Based upon the demonstration shelters, questions about impact on the streetscape are raised. The extremely large shelters will take up a significant amount of sidewalk space. What if a restaurant wishes to have sidewalk dining where a shelter is planned to be placed? There has not been a process defined either for adjacent property owners or businesses or communities to "opt in" or "opt out" to any shelter placements. Rather, there is discussion about expedited roll-outs of shelters in large batches. What opportunities for options/input will exist? What process, if any, has been defined? If not, how to get that option? What will be the visual impact of changing digital signage? Impacts on nearby buildings? Proximity to residences? How to protect about over-concentration on streets? Hours of operation? Limiting of timing of message changing to reduce distraction? Protection of scenic corridors and areas where specific plans regulate signage? Will our Pico/Westwood NOD which bans messages that change be respected? Will Santa Monica Blvd. Scenic Roadway status also be protected from digital signage? What types of shelters will be provided in those locations?

As there were issues related to contract compliance raised over the 20 years, what assurances does the public have that an enforceable contract be written? What if shelters are not properly/satisfactorily maintained? What recourse does a community (and the City) have?

5. **MOTION** Home Sharing Ordinance Amendment: The Westside Neighborhood Council seeks further strengthening of assurances that the owner of an RSO-owner occupied unit that seeks to participate in the Home-Sharing program not have other residence locations (such as a second home) where they may reside while using the unit in an RSO

building for short-term rentals. The measure as currently drafted does not preclude an RSO building owner from evicting a current RSO protected tenant, claim the residence is their primary residence and then proceed to use the unit for short-term rentals thus depriving the City of an RSO unit.

Additionally: How can the measure halt owners from evicting current tenants to establish residency and then use the unit for short-term rentals?

REVISED MOTION: CF 18-1245 Proposed changes to the City's home-sharing/short-term rental program that would allow owner-occupied RSO units to participate in home-sharing.

Oppose unless amended (Could be support if amended)

The Westside Neighborhood Council opposes the program permitting a limited number of owner-occupied RSO units to participate in the Home-Sharing Program because it does not contain adequate tenant protection measures. Support is possible if stronger safeguards to protect against tenant evictions in RSO buildings are incorporated into the program to ensure that landlords cannot evict tenants to occupy an RSO unit to operate it as a short-term rental.

Provisions in the program should ensure that a property owner does not have a secondary home or other living situation that allows them to operate their previous RSO unit exclusively as a short-term rental. The program should only apply to those currently in owner-occupied units. Additionally, RSO owners could be required to be on the premises whenever their RSO unit is used as a short-term rental.

CF 18-1245 Proposed changes to the City's home-sharing/short-term rental program that would allow owner-occupied RSO units to participate in home-sharing.

BACKGROUND: At the current time, only non-RSO units are permitted to participate in the Home-sharing /short-term rental program. In response to a City Council motion, Los Angeles City Planning has drafted a proposed amendment to the City's Home-Sharing Ordinance to permit and regulate the use of owner-occupied units subject to the Rent Stabilization Ordinance (RSO) for home-sharing. Under the proposed framework, the City would permit a limited number of owner-occupied RSO units to participate in Home-Sharing, while incorporating provisions to ensure that there is limited impact to the availability of rent-stabilized housing for long-term residential use and to limit potential abuse.

Draft Ordinance: https://planning.lacity.org/odocument/4a5e8dce-f1f0-4d45-a2f3-b62855544973/Draft_Ordinance_HSO_Amendment.pdf

Fact Sheet: https://planning.lacity.org/odocument/7cdafb3f-7e2c-422f-a749-d279c9e2a9fb/FAQ_HSO_Amendment.pdf

While the program is to be limited to those owners who can provide documentation of ownership and residency (and will be limited to a Citywide cap of 4,000 registrations with a limit of one home-sharing registration per parcel that is subject to the RSO, what is to stop those who have owner-occupied units from establishing a second home to enable them to rent out the RSO designated unit as a short-term rental for up to the permitted 120 days/year? It is not clear as to whether or not a participant would be eligible to seek additional days above the 120 permitted days (as allowed in the Citywide ordinance now in force).

As this measure seeks to provide an owner-resident the ability to develop auxiliary income to help maintain their building (or ownership of their building), is it reasonable to seek limitations on income or income eligibility requirements so that an owner that has the ability to establish a secondary residential location does not do so in order to maximize income from what otherwise could be an RSO unit if rented out long term?

Council intent as stated: In recognition that Home-sharing provides a source of supplemental rental income that may oftentimes assist homeowners in meeting housing costs, allow mom-and-pop landlords who reside in an owner-occupied RSO unit to participate in home-sharing.

A key issue is how to minimize the impacts of short-term rentals on the availability of RSO units and how not to incentivize owners of such buildings to obtain control over an RSO unit for their personal use and then use the unit for short-term rental when they claim that this residence is a primary residence (while it may be declared as such but while other housing options are available to the owner).

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6. **MOTION** Temporary Wall Signs on Temporary Construction Walls and Vacant Lots: The WNC seeks strengthening of the Temporary Wall Sign measure to preclude installation on sites with operating businesses. Such walls should not be permitted. In addition, language to preclude the illumination of such signs is needed.

MOOT POINT: MEASURE WAS ADOPTED BY COUNCIL 8/11. Now additional changes will need to be sought to strengthen the program.

REVISED MOTION: CF 17-0893 - Support if amended

REVISED MOTION Temporary Wall Signs on Temporary Construction Walls and Vacant Lots: The WNC supports efforts to clarify the program that will lead to improved enforcement, but in doing so opposes language that would permit

the installation of temporary walls and their signs on sites with operating businesses on the premises. Such walls should not be permitted. In addition, language to preclude the illumination of such signs is needed and should be added.

CF [17-0893](#) **Temporary Signs on Temporary Construction Walls and on Solid Wood Fences Surrounding Vacant Lots** - Proposed Ordinance: http://clkrep.lacity.org/onlinedocs/2017/17-0893_ord_08-04-2017.pdf

BACKGROUND: The proposed ordinance would clarify regulations pertaining to temporary signs on temporary construction walls and on wood fences surrounding vacant lots.

While the bulk of the proposed clarifications are favorable, the measure fails to halt the installation of such fences around locations where there is a business operating on site. Not only does it fail to do so, but it permits a required construction wall to be lengthened in order to better accommodate a temporary wall that displays advertisements.

The program is designed to reduce blight and to transfer responsibility for maintaining an empty lot or construction sight from trash and graffiti. However, if a site has an operating business, it should be the responsibility of the owner or business operator to keep a site clean in a timely manner. In many communities the presence of plywood covered walls plastered with ads is in itself a form of blight.

Additional language should also be added that prohibits the lighting/illumination of temporary wall signs on construction walls or vacant lots. A corner lot in WLA recently had a noisy (and smelly) portable generator running to illuminate temporary wall sign panels.

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7. **MOTION:** The Westside Neighborhood Council requests that the proposed updates to the TDM program incorporate a mechanism for community input to be considered in the selection of strategies applied by developers. Under the current updates, could strategies be selected based upon cost vs. effectiveness? Additionally, the draft language does not take into consideration any defining characteristics of the setting in which a project is to be located. Such factors may be key to understanding what types of strategies are most important (and may indicate that certain strategies should not be available to certain sites).

RE: CPC-2021-3141-CA, **CF 15-0719-S19**
Support if Amended

The Westside Neighborhood Council requests that the proposed updates to the TDM program incorporate a mechanism for community input to be considered in the selection of strategies applied by developers. Under the current updates, could strategies be selected based upon cost vs. effectiveness? Additionally, the draft language does not take into consideration any defining characteristics of the setting in which a project is to be located. Such factors may be key to understanding what types of strategies are most important (and may indicate that certain strategies should not be available to certain sites).

BACKGROUND: LA Depts of Planning and Transportation are working to update the City's Transportation Demand Management (TDM) Program "to meet transportation demand in a sustainable way." The proposed update would require certain new development projects to implement strategies such as supporting transit, telecommuting, walking, carshare, neighborhood shuttles, and other strategies that reduce vehicle trips.

The TDM program update has three overarching goals. First, the program seeks to reduce greenhouse gas emissions by reducing the amount of vehicle miles traveled (VMT) generated by automobiles. Second, the program presents an updated and expanded set of TDM strategies, including telecommuting and bike share, to allow developers to take advantage of the latest mobility technologies and use strategies that suit their specific project. Lastly, the program will focus on expanding access to the transportation network through investments in bike and pedestrian infrastructure. It seeks to make efficient use of the City's mobility network and improve public health by enabling active transportation choices like biking and walking.

Draft Ordinance: https://planning.lacity.org/odocument/1dc924ce-b94a-403b-afe0-17ba33b3dbe1/Draft_TDM_Ordinance.pdf

Draft Program Guidelines: https://planning.lacity.org/odocument/9fae920f-d618-4362-bd01-adb6abfbd80d/Draft_TDM_Program_Guidelines.pdf

While the revised program seeks to provide options to developers of mixed use, residential and commercial projects that opportunity to determine which TDM strategies to employ, it does not incorporate any mechanism for community input into that process. What is to say that a developer will know what methods are most needed in a specific area? What is to say that a developer will select the most effective method(s) as opposed to the least expensive one(s)? There is a mechanism in the proposed update that allows for "user defined" strategy. However, there is no opportunity for a community defined strategy to be considered. It is very possible that community members have better insight into how neighborhood traffic works and does

not work. Having a program as important as a TDM program with its potential far-reaching impacts ignore the value of community input could significantly reduce program effectiveness. In addition, by ignoring any important characteristics about the setting in which a project is located creates a problem in that a project could, for example, exacerbate an existing problem. A project in a valley suburb may represent a very different setting than a project placed in LA's Koreatown neighborhood and yet the same set of options are available to projects in both settings.

