

LA City Council Land Use Action Updates:

APPROVAL OF OUTDOOR DINING / LA AI Fresco / Zoning code Regulations / LAMC Amendment CF 20-1074-S4. Approved in Council 12/15/23.

CATEGORICAL EXEMPTION, STATUTORY EXEMPTION, NEGATIVE DECLARATION, ERRATA, and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to amending Sections 12.03, 12.10.5, 12.11.5, 12.12.2, 12.13, 12.13.5, 12.14, 12.21, 12.21.1, 12.22, 12.24, and 16.02.1 of the Los Angeles Municipal Code to streamline Zoning Code regulations to create a permanent AI Fresco Program

INFORMATION FOR RESTAURANT OPERATORS

Since the passage of permanent L.A. AI Fresco program, the following information has been released to by the Planning Department to help local restaurants transition:

Due to the success of the temporary L.A. AI Fresco program, the City of Los Angeles has worked through a coordinated effort to establish a new, permanent program. Applications will become available beginning **February 1, 2024**.

To facilitate a smooth transition to the permanent program for existing AI Fresco participants, the following is now available:

-
- **Online AI Fresco Transition Guide.** Please note, that whether you are a new applicant or a temporary use authorization holder, you are expected to submit an application to offer outdoor dining.
 - **Assistance Helpline.** Departments are now available to answer any questions you may have. Please refer to the list below for contact information. You can also access their contact through the online Transition Guide.
 - **Webinars.** The City will host monthly webinars every first Wednesday of every month during the transition period to cover specific topics and answer questions live.

Temporary Use Authorizations for outdoor dining activities were automatically extended through **July 31, 2024**. This date will now be displayed on your certificates, which can be accessed and printed through your [online application](#). Please read through the following [step-by-step guide](#) to access a PDF copy of your certificate(s). To do this, you must log in to the account that originally created your application. This temporary authorization will provide businesses a six-month period to attain a permit and become compliant with the new program.

The application portal for permanent AI Fresco dining will open on February 1, 2024. Businesses must complete the process in its entirety by July 31, 2024. Businesses are encouraged to apply early to allow for adequate time for application review and approval. Starting August 1, 2024, your temporary authorization will no longer be valid.

Al Fresco Transition Guide

The City of Los Angeles has created an [Online Transition Guide](#) for businesses, that outlines requirements, anticipated costs, and answers to most frequently asked questions. Requirements and processes will vary depending on the location of your business's outdoor dining area: Sidewalk, On-Street (Curbside and Parking Lane), and/or Private Property.

Read: [Al Fresco Transition Guide](#)

WEBINARS: We invite you to attend Al Fresco Webinars to learn about the program and ask questions. Webinars are available the **1st Wednesday of each month at noon** from February 2024 to June 2024. More details and links will be posted on the online Transition Guide and shared via email.

Webinar Date

February 7, 2024

March 6, 2024

April 3, 2024

May 8, 2024

June 5, 2024

Topic

On-Street and Sidewalk Dining
Private Property Outdoor Dining
On-Street and Sidewalk Dining
Private Property Outdoor Dining
Al Fresco in the Coastal Zone

MOBILITY PLAN 2035. CF 15-0719-S26. Dept. of Transportation report dated Jan. 10 referred to Transportation Committee relative to implementation of the Mobility Plan and street improvements. Transportation Committee continued item "to/for date to be determined."

This measure is/was the City Council's response to the then-pending initiative now on the ballot and identified as Measure HLA. The Council's approach allows for Council intervention whereas in Measure HLA whenever a street is repaved, the improvements that were adopted as part of the Mobility Element must be installed.

Council file can be viewed at: <https://citySincSincclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=15-0719-S26>

PARKING TIME LIMITS/TEMPORARY REGULATORY RELIEF/LOCAL BUSINESS /EMERGENCY ORDER EXPIRATION/LAMC 16.02.1 – Council File 20-0380-S2. Council approved amended motion on 1/24. Original motion https://clkrep.lacity.org/online/docs/2020/20-0380-S2_misc_2-17-23.pdf Includes language as follows:

WHEREAS, the City desires to extend the provisions within the Municipal Code, Section 16.02.1, *Relief from Specified Land Use Provisions*, that allow for regulatory relief from specific time limitations for approvals and certain automobile parking requirements in the Municipal Code, and must affirmatively activate them by Resolution; and

WHEREAS, the City intends for the relief to provide needed flexibility for businesses and projects by extending time limits for approvals, and provide targeted automobile parking relief for existing buildings and operators that are underpinned by a desire to provide cost savings to local proprietors while furthering the environmental and mobility goals of the General Plan; and

WHEREAS, an extension of these provisions will provide the Planning Department the ability to engage in outreach and analysis to determine what permanent changes to the Municipal Code should be made to support the economic vitality of Los Angeles' commercial districts; and

WHEREAS, the City desires to extend the provisions within the Municipal Code, Section 16.02.1, *Relief from Specified Land Use Provisions*, that allow for regulatory relief from specific time limitations for approvals and certain automobile parking requirements in the Municipal Code, and must affirmatively activate them by Resolution; and

WHEREAS, the City intends for the relief to provide needed flexibility for businesses and projects by extending time limits for approvals, and provide targeted automobile parking relief for existing buildings and operators that are underpinned by a desire to provide cost savings to local proprietors while furthering the environmental and mobility goals of the General Plan; and

WHEREAS, an extension of these provisions will provide the Planning Department the ability to engage in outreach and analysis to determine what permanent changes to the Municipal Code should be made to support the economic vitality of Los Angeles' commercial districts; and

Amended motion includes:

1. RESOLVE to hereby extend the provisions of Municipal Code Section 16.02.1, Relief from Specified Land Use Provisions, to provide temporary regulatory relief from certain time limitations and automobile parking provisions during and for an additional **24 12-month** period for a total of **36 24 months**, after the termination or expiration of the local emergency order, as provided in that section.
2. INSTRUCT the Department of Building and Safety, Planning Department, and any other relevant department, to provide a report with recommendations before this 12-month extension expires on businesses impacted by this Resolution, and if additional extensions are necessary, and how this may impact the City.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0380-S2>

Redevelopment Plan Procedures Reinstatement Ordinance / Process and Procedures Ordinance / Los Angeles Municipal Code (LAMC) / Amendment CF 12-0460-S7 . Approved by PLUM 1/16. File notes that the item was continued to/for Jan. 23 on 1/17. However, on 1/19 Council acted. Ordinance effective date Jan 24.

Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Sections 15061(b)(3) and 15378(b)(5); report from City Attorney and draft Ordinance relative to reinstating Section 11.5.14 to Article 1.5 of the Los Angeles Municipal Code, Ordinance No. 187712, with technical modifications.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=12-0460-S7>
Final ordinance # 188088

PROCESSES & PROCEDURES: Fee implementation ordinance and new forms

Staff from the Planning Dept. will be making a presentation on the updates to the Processes and Procedures Ordinance at the Saturday, Jan. 10, 10 am meeting of PlanCheckNC: <https://plancheckncla.com/>

From December 14 Planning Dept. notice:

FEE IMPLEMENTATION DATE

On December 7, 2023, the City Council adopted the Department's recommendation to establish a new fee Ordinance in relation to processes being reorganized or established in the Processes and Procedures Ordinance. As such, **the Ordinance will become effective February 10, 2024** ([Ordinance 188,063](#)), with the request that the New Planning Fees be operative and in alignment with the Processes and Procedures Ordinance.

APPLICATION FORMS

As of today you can access the application filing forms that have been updated for consistency with the ordinance, alongside the current versions of our forms, on our [Forms webpage](#). Please be aware that projects are not subject to the provisions of this ordinance if a complete application was filed and fees were paid prior to January 22, 2024 (the Operative Date), and may proceed using the procedures in place prior to these changes. The new application forms offered on the [Forms webpage](#) will not be accepted until the Operative Date. This early release is intended to allow applicants to begin preparing their materials in advance of this date and allow additional time for pre-filing questions and consultation.

Applications filed on or before January 21 are required to use the forms listed under the "Chapter 1 Code" column. All applications filed on or after January 22 will be subject to the Processes and Procedures Ordinance and will be required to use the revised forms under the "Chapter 1A Code" column.

If a new form starts "CP13," that means it contains changes for Processes and Procedures and will supersede/replace the old version. If it keeps the "CP" prefix, that means the form is retained and won't be changed. Edits to some forms are minor, whereas others received more comprehensive edits. Some forms are new, were not previously on the website, and/or receive new names.

Please contact Zoning Implementation Section staff with any questions at planning.ch1A_implementation@lacity.org.

Thank you for your attention. The remainder of the text is a general overview of the background for this ordinance.

BACKGROUND

The Processes and Procedures Ordinance is part of a larger initiative to comprehensively update the City's Zoning Code. It aims to create a clear set of administrative procedures for considering and processing requests for Zoning Code entitlements. The Processes and Procedures Ordinance lays the groundwork for a more user-friendly, transparent, and predictable set of zoning regulations.

In December 2022, the City Council adopted [Ordinance 187,712](#), commonly referred to as the Processes and Procedures Ordinance, which is scheduled to be operative beginning January 22, 2024, as established in [Ordinance No. 187,930](#). On September 19, 2023, the City Council approved a proposed ordinance to amend the provisions that regulate development applications and approvals in the City's coastal zones, as approved by the California Coastal Commission.

A dedicated [webpage](#) for Processes and Procedures, which summarizes the upcoming changes in greater detail and provides helpful resources—including the [Processes Comparison Table](#) and [Fact Sheet](#)—is available at Planning4LA.org/project-review/processes-procedures.

To receive future updates on the implementation of this ordinance, please sign up for the interested parties list at planning.lacity.org/about/email-sign-up. Members of the public may also view related documents and sign up for updates related to the ordinance itself directly at the Council File ([12-0460-S4](#)).

Gondola / L A ART Project (L A Aerial Regional Transit)

There is considerable controversy surrounding the proposal to build and operate a gondola to take passengers from Union Station to Dodger Stadium as proposed by Frank McCourt, former Dodgers owner who retained ownership of the parking lots around the stadium. The project requires Metro and LA City approval, and was initially to be funded by McCourt and his investment entity. That has changed and it appears that now the backers of the project seek to obtain Federal funds estimated to be needed in the amomillion. Many have weighed in to state that a gondola is not the answer to Dodger traffic (see [UCLA traffic study](#)). The project had been scheduled to be heard at the January Metro Jan. 25th Board meeting, but a few days before that meeting **Supervisor Hilda Solis** pulled the item from the draft agenda. Then, on January 24, **Councilmember Hernandez** introduced a [motion](#) (in [Council File 24-0011-S4](#)) asking City Council to put a pause on the project until other options have been adequately studied.

The community coalition STOP THE GONDOLA (stopthegondola.org) invites community organizations and individuals to join in to thank both electeds for their leadership and asks that Mayor Bass, as chair of the Metro Board be urged to oppose the project.

LEARN HOW YOU CAN HELP at ncsa.la/dodger_stadium_gondola.

Additional info is available in the LA Times published [op-ed](#) by the head of [Friends of Elysian Park!](#)

CF 23-1378: AB 2234 (Rivas) / Internet Permitting Requirements / Post Entitlement Phase Permits / Housing Development Project Applications / Local Agency Internet Website – Adopted by Council 12/12/23 (Motion introduced 12/05/23)

MOTION (HARRIS-DAWSON – KREKORIAN – YAROSLAVSKY) and RESOLUTION relative to extending the deadline to comply with Assembly Bill (AB) 2234's Internet Permitting Requirements by two years until January 1, 2026, to allow post entitlement phase permits of housing development projects to be applied for, completed, and retrieved by the applicant on a local agency's internet website

Recommendation for Council action:ADOPT the accompanying RESOLUTION, and the FINDINGS as required by AB 2234 (Rivas), Chaptered into law in 2022, Government Code Section 65913.3.5(a)(2), to extend by two

years, until January 1, 2026, the deadline to comply with its Internet Permitting Requirements, to allow post entitlement phase permits of housing development projects to be applied for, completed, and retrieved by the applicant on a local agency's internet website.

Planning Dept. announced proposed plans to **UPDATE CEQA THRESHOLDS OF SIGNIFICANCE AND METHODOLOGIES** on December 8 which followed the Mayor's November Executive Directive #7 (see post below on this measure) in which she identified new ways for staff to advance additional streamlining of development. The Dec. 8 memo contained a deadline of Dec. 20 for comments on draft recommendations for evaluating projects under CEQA in LA – less than 2 weeks following issuance of the 12/8 memo and during the holiday season when many NCs and CCs are dark. During the ZA's hearing on Dec. 19, it was announced that the deadline was to be extended to Jan. 19. (There was no written notice of the change issued after the hearing and only those who were present at the hearing (a handful of people commented there) or who listened to the recording afterwards would have been aware of the change. A video of the virtual public hearing can be viewed at: <https://drive.google.com/file/d/1aROmjNmH3NCdtOBkLwSYX7x0lkluzOtL/view>

The full 34-page report on Construction Noise and Vibration – Proposed Updates to Thresholds and Methodology as prepared for the Planning Dept. by the Department and a Technical Advisory Panel is dated December 2023 and can be viewed at: <https://planning.lacity.gov/odocument/fba26ae5-ca95-48c3-aace-ae3bf0cb43b1/Construction%20Noise%20and%20Vibration%20-%20Proposed%20Updates%20to%20Thresholds%20and%20Methodology%20&%20Attachments.pdf>

- [Construction Noise and Vibration – Proposed Updates to Thresholds and Methodology](#)
- ***NEW*** [Construction Noise and Vibration – Summary of Proposed Updates](#)

Historic Resources

The update would memorialize best practices for the review and analysis of historic resources.

- [Draft CEQA Guide – Guide to Preparation of Impact Analysis – Cultural Resources – Historic Resources](#)
- [Draft CEQA Guide – Technical Studies – Cultural Resources – Historic Resources](#)

The deadline for comments is now FEBRUARY 19, 2024. Comments are to be sent Senior City Planner Mindy Nguyen at: mindy.nguyen@lacity.org with reference “Updated CEQA Thresholds.”

WRAC letter:

<https://westsidecouncils.com/wp-content/uploads/2024/01/WRAC-Letter-Planning-CEQA-Noise-Threshold.pdf>

Bel Air/Beverly Crest NC draft comment letter:

<https://www.babnc.org/assets/documents/16/meeting65988b77221a7.pdf>

Citizens for a Better Los Angeles comment letter: See end of this report for text of the letter

RE: ZONING AND LAND USE AND percentages of land allocated for specific uses:

Recent email exchange with Matt Glesne regarding the percentage of buildable land zoned for R1 uses, please note the following:

Matt:

It is often quoted that 70% of land in LA is zoned for single family homes.

Of that 70%, I would like to know how much of that land is in hillsides or other sensitive areas and has associated restrictions on development -- whether due to high fire severity zone designation, landslide, sea-level rise risks, or other open space or geological descriptors that would limit the construction of multi-family housing beyond already permitted ADU's, junior ADU's and where feasible lot splits under SB 9.

How much of the R1 land would not be available for more dense multi-family housing under currently recognized restrictions? That could be expressed as what portion of the 70% is not eligible for rezoning and/or what percentage of all residentially zoned land falls under that category.

What is that number, please?

Thanks,
Barbara

Barbara Broide
Westside NC Land Use Committee

From: Matthew Glesne <matthew.glesne@lacity.org>

Sent: Tuesday, January 30, 2024 9:45 AM

To: Barbara Broide <wncluc@gmail.com>

I actually found something in the Housing Element on this (see pg 210 in [Chapter 4](#)):

Much of the city's single-family zoning is in ecologically sensitive and hazardous areas of the city. In fact, approximately 35% of the parcels of the city's single-family zoning are in Very High Fire Hazard Severity Zones (VHFHSZ) or areas with vulnerability to Sea Level Rise (SLR) exposure.

Hi Matt,

This is very interesting information. If my math is correct, 35% of 70% is 24.5% which leaves 45.5% of our developable land as single-family zoning. Therefore, we must change the narrative and from now on state that 54.5% of the developable land in Los Angeles is zoned for multi-family, commercial or manufacturing use and only 45.5% is R1 or more restrictive.

Please let us know if you disagree with this calculation.

Thank you,

Jeff

Chair, Sherman Oaks Neighborhood Council PLUM Committee

14724 Ventura Blvd., Suite 410 Sherman Oaks, CA 91403 Phone: 310 441 9313

<http://www.kalbanarchitects.com>

--Waiting to hear back from Matt to confirm that this is correct.

LA City Measures to be considered:

CF 23-0623-S1 – Administrative approval of one hundred percent affordable housing projects.

Executive Directive 1 / 100 Percent Affordable Housing Projects / Procedures and Performance Standards / LAMC / Amendment

Referred 11/29/23 to Council Housing and Homeless Committee and to PLUM.

Los Angeles City Planning Commission report, dated November 28, 2023, relative to a proposed ordinance amending Los Angeles Municipal Code Chapters 1 and 1A, to establish procedures and performance standards for **administrative approval of one hundred percent affordable housing projects**.

Go to the Council File <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=23-0623-S1> to view the 11/28 posting of a report from the LA CPC and staff reports of the same date.

Understand that under the Mayor's Emergency Directive 100% affordable housing projects have no limits on density/units/height on multi-family zoned land and may reduce all setbacks, including front yard setbacks.

FYI: Executive Directive #1 can be seen at: <https://mayor.lacity.gov/news/mayor-bass-signs-executive-directive-dramatically-accelerate-and-lower-cost-affordable-housing>. That measure has been challenged in litigation filed by Fix the City. See related article on the Fix the City litigation at: <https://www.latimes.com/california/story/2023-09-26/group-sues-to-strike-down-mayor-karen-bass-homelessness-emergency-declaration>

What kinds of projects are being built across the City using ED1? How do they relate to the community around them?

Nuisance Abatement Properties/ On-Site Retail Commercial Cannabis Activity/ LAMC Amendment

(Hutt/Rodriguez) CF 24-0050 referred to PLUM on January 12 relative to instructing Planning Dept. to initiate amendments to Article V, Chapter X of the LAMC to add nuisance abatement properties to the list of sensitive uses and ban their use for onsite retail commercial cannabis activity.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=24-0050>

WE THEREFORE MOVE to INSTRUCT the City Planning Department (CPD), with the assistance of DCR, to initiate amendments for consideration by the Citywide Planning Commission that would amend Article V, Chapter X of the Los Angeles Municipal Code (LAMC) relative to regulating onsite retail commercial cannabis activity to add nuisance abatement properties, as adjudicated under Sections 12.27.1 and 91.9001 et. al. of the LAMC to the list of sensitive uses.

WE FURTHER MOVE to INSTRUCT the CPD, with the assistance of DCR, to initiate amendments for consideration by the Citywide Planning Commission that would amend Article V, Chapter X of the Los Angeles Municipal Code (LAMC) relative to regulating commercial cannabis activity to ban the use of nuisance abatement properties for onsite retail commercial cannabis activity.

WE FURTHER MOVE to INSTRUCT the CPD, with the assistance of the DCR, to report back to the PLUM Committee within 30 days with a list and map of nuisance abated properties in the City of Los Angeles that would be affected by this proposed ordinance.

Motions to be considered by WRAC Land Use Committee FYI:

TITLE: Limit waivers for affordable housing projects

PURPOSE: To request that the city end unlimited waivers for affordable housing projects with no corresponding increase in affordability.

BACKGROUND:

1. Developers can request unlimited off-menu incentives and waivers without demonstrating financial need.
2. 11814 Missouri example (100% affordable – ED1 Housing Crisis Act): 13 waivers, including no trees, no parking, no stepbacks, front yard parking OK).
3. Sportsman Lodge example: 7 off-menu/waivers, 15% affordable housing.
4. 11201 Ventura example: 5 off-menu/waivers, 13% affordable housing.
5. 3018 S. Western Ave.: 5 off-menu/waivers, 12% affordable housing.

Findings and justification:

1. Developers usually overpay for land, and that is not justification for additional incentives/waivers.
2. By reducing the size of projects, the land prices will decrease correspondingly.
3. Additional affordable housing benefits the community immensely.

THE MOTION:

The _____ NC/CC, a member of the Westside Neighborhood Alliance of Councils (WRAC), requests the City limit the number of “off-menu” incentives and “waivers of development” standards, and/or require additional affordable housing or deeper affordability for each additional off-menu incentive or waiver that is requested (such +1% more affordable housing for each).

For ED1 100% affordable projects, waivers shall be limited to 5.

Other revisions:

§ Incentives for reduced front yards and reduced rear yards shall be separate requests (instead of current policy to provide them together in 1 incentive).

§ Incentives for 2 reduced side yards and reduced rear yards shall be separate requests (instead of current policy to provide them together in 1 incentive).

COMMITTEE: WRAC LUPC

TITLE: Right-of-Way Abandonments/Vacations

PURPOSE: To require developers to compensate the city for vacations of right-of-way that add land to private property for development, instead of giving it away for free and receiving no community benefits.

BACKGROUND:

1. West LA land prices are as much as \$20,000,000 per acre, and proceeds can reduce the city's budget deficits.
2. Developers receive a huge private benefit by acquiring public land for free, and not having to return a community benefit.

Example: 11540 Pico Blvd. - Onni Development, a very large developer, will receive 21,000 sf from 2 alley vacations/abandonments (\$10,000,000 value). The project will provide no community benefit in return for the land, and it is designed property line-to-property line with only a few small trees onsite, no public open space, etc. Site plan below shows 90% lot coverage.

Site plan with 2 alleys to be abandoned

Impact on region: All NCs are affected by zoning standards and ROW/alley abandonments and vacations.

THE MOTION: (previously approved but WRAC leadership requested re-write to make it easier to comprehend).

Motion remanded for simplification: The _____ NC/CC requests the City end its policy of conveying without compensation, abandonments of fee simple ownership or easements of the public right of way. We recommend, instead, that an independent determination be made of the fair-market value that would establish a process whereby an effort to capture the value of the land/easement to be reflected in the project developed or community benefits received (e.g. green space, trees, open space, affordable housing units, etc.) on a case by case basis.

-

-

DIRECTED TO: WRAC Executive Board

METRO TCN DIGITAL BILLBOARD PROGRAM APPROVED BY CITY / LITIGATION CHALLENGING APPROVAL FILED BY COALITION FOR A BEAUTIFUL LOS ANGELES AND CITIZENS FOR A BETTER LOS ANGELES.

[Council File: 22-0392](#) –

The January City Planning Department report circulated electronically published the following:

The Council's action approves ordinances to amend the Zoning Code to allow Metro to implement their TCN Digital Billboard program which will install changing digital billboards along 8 freeways and 10 city streets (some in the city's High Injury Network) in LA on Metro-owned land. Electronic billboards will impact 4 city historic resources (Union Station, Angel's Flight/Grand Central Market, two historic bridges). While at PLUM, Council offices 1,2,5, and 13 requested removals of specific signs in their districts.

Despite having offered to remove 200 static billboard in the city as a community benefit of the program, amendments to the final measures adopted reduced the sizes of signs to be permitted to be counted toward removals. (While Metro installs full-sized digital billboards, signs to be removed can now be as small as 200 square feet -considered to be "poster" sized signage in the outdoor-advertising industry.)

FOLLOWUP: For those communities whose councilmembers supported the program (all those with the exception of: Raman, Park, Yaroslavsky, Hernandez), NCs should ask their councilmember to seek removal of specific signs in their community that are still in the program.

There is also a need to request a list of the exact signs and locations of the signs to be removed in each community. No such list has ever been shared with the City or the public. Also learned during public review: Many of the signs Metro has offered to remove are either illegal signs or signs without permits/documentation. In short (editorial comment), they are being permitted to remove signs some of which should have been ordered taken down by the City years ago (and many to be removed currently do not generate any revenues demonstrating that the City did not push for community benefits commensurate with the opportunity and entitlements given to METRO).

Two non-profit organizations, Citizens for a Better Los Angeles and Coalition for a Beautiful Los Angeles, are planning to file litigation in response to the City's approval of the program. They have joined efforts to raise funds to help finance the litigation. The paypal donation portal is at: https://www.paypal.com/donate/?hosted_button_id=DVVF9F76MNFSC

LA Urban Forest Management Plan Neighborhood Workshops

The City is developing an **urban forest** management plan (UFMP) and, as part of that, the City seeks to create a vision for the future of trees in our city, which includes recommendations for how we take care of trees and grow our urban forest. Check out the workshops listed [here](#), join one and spread the word.

Mayor Bass issued 11/8/23 Executive Directive No. 7: Streamlining and Accelerating Housing Production

SEE: https://mayor.lacity.gov/sites/g/files/wph2066/files/2023-11/ED%20%20-%20Streamlining%20and%20Accelerating%20Housing%20Production%20%281%29.pdf?utm_campaign=SDU&utm_medium=email&_hsmi=282773790&_hsenc=p2ANqtz-_AVQcoFptGI8U10tSUHXY_pJWjTOD5PKxiNwNy6KF-zh8MWU-J4IHBSxy6KG1dcMAqHaEdSq4WBzbyxBoR_VvvhlLE4A&utm_content=282773790&utm_source=hs_email

Los Angeles Mayor Karen Bass announced a new [executive order](#) to reduce permitting time for housing by 25-30%, a move that could significantly expand housing production. Combined with the pending codification of Bass' earlier executive directive allowing for the streamlined production of higher-density affordable housing, the city says the measure "could make significant strides toward alleviating its housing crisis."

See article from The Center Square: https://www.thecentersquare.com/california/article_32fad630-7f5c-11ee-bd57-830807317e97.html?utm_campaign=SDU&utm_medium=email&_hsmi=282773790&_hsenc=p2ANqtz-_iHlrj9e12PLJQ5oCI7shcva9Cq-Wp5X8hXQXu2MkQIDXAqu0FqeL3iAv6N7vrRgh0V6f0Uj3WiQqDP3dglyKzAZX4tw&utm_content=282773790&utm_source=hs_email

"Noting that Los Angeles is currently on track to meet only 40% of its housing production goals required under its state-submitted housing plan, Bass ordered the city to reduce discretionary review, a process larger projects are subjected to that increases their permitting time due to required hearings and easily-filed lawsuits and adopt rules to reduce California Environmental Quality Act review thresholds that can increase the cost of environmental impact reports from tens of thousands to hundreds of thousands or millions of dollars in the case of lawsuits. Bass also ordered the city to reform building code requirements preventing the conversion of existing buildings into housing, a salient feature amid the

city's **record-low** commercial real estate occupancy rate but an ongoing shortage of housing. Lastly, the order also requires that the city reduce permitting times for mixed-income housing by 25-30%. “

Here is the statement from Vince Bertoni, Director of City Planning. October 26, 2023

Based on feedback gathered throughout the Spring and Summer through the Department's CHIP survey and a series of Office Hours hosted in July of this year, as well as direction from the Los Angeles City Council, the Department has modified how CHIP strategies will apply to single-family zones. In particular, **at this time single-family zoned land is not being considered as eligible for the Affordable Housing Overlay incentives** in development unless a proposed project is constructed on land hosting a religious institution and owned by a Faith Based Organization. **Additionally, single-family zoned sites are not being considered in the expansion of the Transit Oriented Communities Affordable Housing Incentive Program.** Opportunities for refinement will continue to be available as the CHIP program moves toward adoption.

In the coming months, City Planning will release draft ordinances associated with specific CHIP strategies. We encourage the public to keep an eye out for these drafts and provide feedback that will ultimately inform revisions to the drafts prior to adoption.

NOTE: The issue for those communities now working on the Community Plans is how the community plans will be implemented in relation to the Housing Element mapping... and which one will be finalized/ adopted first to understand what the baseline for density might be.

In the courts - FYI:

Fix the City litigation challenges the basis for the Mayor's ED 1

<https://www.latimes.com/california/story/2023-09-26/group-sues-to-strike-down-mayor-karen-bass-homelessness-emergency-declaration>

A Westside-based nonprofit group filed a lawsuit Monday that seeks to strike down Los Angeles Mayor Karen Bass' declaration of a local emergency on homelessness and housing, calling it a “vast and illegal expansion of mayoral power.”

[Fix the City](#), which has sued city government several times over planning and development decisions, said in its lawsuit that the mayor's declaration improperly eliminates competitive bidding, undermining “the state's objective of ensuring fairness, transparency, and fiscal responsibility in public procurement.”

The lawsuit said the mayor's declaration, and accompanying directives, have allowed 100% affordable housing developments to circumvent the city's planning review process, eliminating “public hearings, due process and the right of appeal” for such projects.

“By doing so, the mayor permits years of construction for which development planning oversight is non-existent,” the lawsuit says. “That is but one long term impact on the citizens of the City of Los Angeles.”

A Bass aide did not immediately rebut the claims in the lawsuit, which appears to be the first major legal challenge to the mayor's homelessness initiatives.

“The complaint was just filed,” said mayoral spokesperson Clara Karger, “and we will take time to review it.”

The lawsuit seeks to rescind three [executive orders](#) issued by Bass as part of the homelessness emergency, two of which were written to speed up the city's review and approval of [homeless shelters](#) and [affordable housing](#). A [third](#) serves as the backbone of the mayor's [Inside Safe initiative](#), which has been moving unhoused residents off the streets and into temporary and permanent housing.

In recent weeks, Bass has [touted the city's progress](#) in addressing the crisis, saying her first executive order helped speed up the city's processing of more than 7,000 affordable housing units.

[Read the lawsuit over Mayor Karen Bass' emergency homelessness declaration](#)

Sept. 26, 2023

"This is what urgency looks like," [Bass said last week](#), celebrating the completion of an affordable housing development in Hollywood. "Approval processes that used to take six months are taking 47 days."

An aide to City Atty. Hydee Feldstein Soto declined comment, saying the office does not comment on pending litigation. But Councilmember Nithya Raman said the lawsuit, if successful, would harm the city's effort to fight homelessness, slowing down efforts to produce various types of housing.

"This is a crisis, and a moment, that demands that we use every tool in our toolbox to address it," Raman said. Bass declared a [state of emergency](#) on homelessness in December, taking that step on her first day in office. The declaration was designed to [speed up the process](#) of building temporary and permanent housing, in part by allowing the mayor's office to make contracting decisions that don't require competitive bidding or City Council approval.

The council approved the declaration and reupped it on a monthly basis until July, when the mayor prepared a new, reworked emergency declaration.

That order, which is still in place, authorizes Bass to commandeer property and use it for temporary housing, suspend competitive bidding on contracts that last less than a year and issue orders and directives aimed at addressing the housing and homelessness emergency.

In its lawsuit, Fix the City questioned the justification for the emergency declaration, saying the city's homelessness and housing affordability problems are "chronic in nature," not "sudden or unexpected." In the years before Bass took office, Mayor Eric Garcetti declared a [shelter crisis](#), which provided city leaders additional measures for combating homelessness, said Mike Eveloff, president of Fix the City.

You can help someone get on the path to housing — and make your voice heard on issues of housing and homelessness. Learn how with Shape Your L.A.

"We're not trying to get the city to stop addressing homelessness. They have the tools they need to do that," he said. "We're trying to avoid the loss of due process and transparency, which are all needed to avoid corruption, which we've seen far too much of."

Fix the City has taken aim at an array of land-use decisions in various parts of L.A., focusing most recently on a proposal for a [30-bed homeless shelter](#) planned on Pico Boulevard. In 2013, the organization was one of several that successfully [struck down](#) the city's update to the Hollywood Community Plan, which lays out the development strategy for that part of the city.

It took the planning department a decade to rewrite that document, which was [approved by the council](#) in May. A month later, Fix the City sued again, asking a judge to overturn it.

Monday's lawsuit was prepared by Robert P. Silverstein, an attorney who, on behalf of his clients, succeeded in overturning approval of construction projects in Hollywood and elsewhere.

Legal challenge to City's approval of the 5511 Ethel Avenue project (affordable apartment building with 200 units with height of 80 feet on an R1 lot to be developed under ED 1 (which was later corrected to state that it is not to be applied to R1 properties) brought by New School for Child Development. Opposing challenge to approval is the 5511 Ethel Avenue LLC /Bedrock Properties Group LLC, 8217 Winnetka, LLC and Yes in my Backyard (YIMBY Law). See case filing at: <https://drive.google.com/file/d/1mnK4uCHZPPdOadNHpyl6350LIPRMfGYU/view>

Daily News article about the YIMBY lawsuit: <https://www.dailynews.com/2024/01/10/city-of-la-sued-after-council-says-no-to-fast-tracking-affordable-housing-proposal/> by Linh Tat

The city of Los Angeles is being sued after the City Council refused to let a developer use L.A.'s fast-track approval option for 100% affordable housing projects to build a seven-story apartment that would back up to a single-family neighborhood in the San Fernando Valley.

[The lawsuit](#) filed on Tuesday, Jan. 9, by the non-profit Yes In My Back Yard, or YIMBY, is the latest in a debate about whether a developer can use [Mayor Karen Bass' Executive Directive 1](#) to tap into a fast approval process to build large 100% affordable housing projects in single-family neighborhoods and in other low-density areas.

Bass issued her directive, known as ED1, during her first week in office in late 2022 as a way to address [L.A.'s affordable housing and homelessness crises](#).

The intent wasn't to allow a fast-track process in which developers could propose such massive projects in single-family neighborhoods. But [the mayor's initial wording](#) did not explicitly state that developers couldn't do so.

In June, [Bass updated her directive](#) to close the loophole. But by then the city had [several applications – all in the San Fernando Valley](#) – from developers seeking to build multi-story affordable housing projects in single-family areas.

In October, the [City Council denied one developer's plan](#) – a seven-story, 360-unit apartment at 8217 Winnetka Ave. in Councilmember Bob Blumenfield's West Valley council district – to use the streamlined approval process. The council's decision did not prevent the developer from using the city's normal, slower review process.

Blumenfield did not respond to a request for comment on Tuesday, but in October he said, "The project in question is a high-density, multi-family project on a single-family zoned lot. ... The intent of ED1, again, was not to include single-family zones, and the mayor clarified this."

The lawsuit filed Tuesday by YIMBY and Bedrock Properties Group, identified as the project applicant, alleges that their application – and others submitted before the mayor amended her executive directive – have vesting rights. They say the developer qualifies for expedited review using Bass' ED1 rule before she changed it.

"Los Angeles can't keep delaying affordable housing," Sonja Trauss, executive director at YIMBY Law, said in a statement. "We've spoken with them about the legal and moral implications of going back on their own policy. The city still broke the law, and now they have to be held accountable."

The ED1 concept that Bass embraced can save developers tens of thousands of dollars in permitting fees, and it exempts them from some environmental studies and public hearings.

In other words, by not going through a typical Planning Commission review, developers save time and money — and feel that their projects face less risk of being killed during the city's complicated "discretionary review process."

The California Department of Housing and Community Development indicated in a letter to the city last fall that it believes the developers have vesting rights. But the city's planning department and mayor's office don't agree.

A representative for the city attorney's office told the City Council in September that it considered the state's opinion ["persuasive at most, not binding."](#)

A spokesperson for City Attorney Hydee Feldstein Soto's office declined to comment on this week's lawsuit, saying the office does not comment on pending litigation.

During the Oct. 13 council meeting, before the City Council voted 10-1 to deny the developer's request to remain on the fast track, Blumenfield urged his colleagues to reject the request.

He also told the Los Angeles Daily News that day that the [planning department considered the application incomplete](#) and, therefore, ineligible for fast-tracked approval.

"Fear of litigation shouldn't be a reason to approve projects with incomplete applications, and that are not a good fit in a community," Blumenfield said.

This week's lawsuit challenges the city's position that the application was incomplete.

Daily News article about the filings includes a list of all projects filed under ED 1 before the correction was made: <https://www.dailynews.com/2023/10/02/loophole-lets-developers-put-big-apartment-buildings-next-to-sf-valley-houses/>

Pending litigation: SB 10 Lawsuit Filed May 30, 2023 by the Aids Healthcare Foundation and the City of Redondo Beach challenging SB 10. Case No. B321875 in the Court of Appeal, Second District CA, Division 2. No hearing date posted.

<https://www.livablecalifornia.org/sb-10-lawsuit-filed-may-30-2023electrification-reality-and-myths-2/>

Supreme Court agrees to hear Grants Pass, OR case regarding homeless encampments and cities' rights to move homeless from camping on public property.

<https://www.cnn.com/2024/01/12/politics/supreme-court-grants-pass-homeless-cruel-and-unusual-punishment/index.html>

CNN —

The Supreme Court on Friday [agreed](#) to decide whether city laws that punish individuals to curb the growth of homeless encampments violate the Constitution's limits on cruel and unusual punishment.

The justices took up an appeal from Grants Pass, Oregon, of a federal court ruling preventing the city from enforcing its public camping ordinances through civil citations.

<https://calmatters.org/housing/homelessness/2024/01/homeless-camp-scotus/>

The case, originating from the Oregon city of Grants Pass, could overturn or narrow a five-year-old precedent from a federal appeals court that limited how much cities in Western states could criminalize those who sleep on the streets when there aren't enough shelter spaces available.

In the older case — Martin v. Boise — the Ninth Circuit Court of Appeals ruled in 2018 that it's cruel and unusual punishment to criminalize camping on public property when the people in question have nowhere else they can legally sleep. The ruling was binding on West Coast cities, where rising rates of unsheltered homelessness that later spiked during the pandemic were driving [local politicians to pass public camping prohibitions](#). In 2019 the Supreme Court declined to hear an appeal of that case.

Pending Metro-related projects in LA City

Gondola Project

FEIR released Dec.4, 2023. <https://www.metro.net/projects/aerial-rapid-transit/>

The FEIR can be viewed at: https://www.dropbox.com/scl/fo/p9x3rj7d1wd1aay323iip/h/Final%20Environmental%20Impact%20Report/Final%20EIR%20Individual%20Sections?dl=0&subfolder_nav_tracking=1

While the certification of the project FEIR will be before the Metro Board soon (and individuals may weigh in on that process), there will also be an LA City review process. Cal Trans and the State Parks Commission will also need to review (and it is not clear whether those will be a public review process or an administrative one).

Councilmember Eunisses Hernandez, in whose district the project will be located, introduced a council motion [CF 24-011-S4](#) on Jan. 24, 2024 that allocates funds from two of her office's council district funds to be used for a comprehensive traffic study of the area surrounding and leading up to Dodger Stadium and requests that the study be done before any city consideration or advancement of the project takes place. She notes in that motion that no traffic study of the area has been done since 1990 and highlights the importance of gathering data to determine best first/last mile strategies. The motion also directs the gathering of data related to traffic mitigation measures being implemented by other major event venues in So California.

NCs may wish to consider adopted a motion in support of CF 24-011-S4 as Dodger Stadium is a regional asset that draws attendees from across the City and County and beyond. While Metro will vote this month on the FEIR, there is time for NCs to consider weighing in on the City measures.

There is also the issues as to how the tramway would be funded if it were to go forward. When the initial cost estimate was \$125 million, the owners of the Dodger parking lots indicated willingness to finance it. However, now that the cost estimates have greatly increased, they state their desire to seek Federal government funding for their project that would serve privately owned land (Dodger Stadium and its parking lots).

Message from California State Parks Foundation:

Plans for the Aerial Rapid Transit Technology (ARTT), an aerial gondola system to connect the Dodger Stadium with Los Angeles Union Station, continue to inch forward as Metro will soon be considering the Final Environmental Impact Report (EIR). We are concerned about the project due to its impact on Los Angeles State Historic Park and the precedent it would set — such as permanent disruption of the park's peaceful environment and surrounding communities, noise pollution, and other negative impacts on the park's ecosystem.

Learn more: <https://ow.ly/Tw2o50Qp0B6>

Metro website on gondola: <https://www.metro.net/projects/aerial-rapid-transit/>

L.A. Metro — Meeting Date/Time: (no agendas are currently available)

- Thursday, Feb 14 at 11:00 am Planning Committee meeting
- Thursday, Feb. 22 at 10:00 am - Full Board Vote

Opposition has been voiced from the CA State Parks Foundation, LA Parks Alliance, Sierra Club, Friends of the LA River, LA Conservancy, Trust for Public Land, Natural Resources Defense Council, Audubon Center, California Endowment, additional organizations and Chinatown residents (<https://www.stopthegondola.org/>). There is a

sample letter available for those who would like to submit an opposition comment to the Metro Board and City Council: https://actionnetwork.org/letters/la-metro-board-stop-the-la-art-gondola?source=direct_link&

The FEIR can be viewed at: https://www.dropbox.com/scl/fo/p9x3rj7d1wd1aui323ijp/h/Final%20Environmental%20Impact%20Report/Final%20EIR%20Individual%20Sections?dl=0&subfolder_nav_tracking=1

Articles of Interest

<https://www.yahoo.com/news/utopian-city-investors-first-tried-025637511.html?guccounter=1>

Utopian City Investors First Tried to 'Fix' San Francisco