



Sharon Dickinson <sharon.dickinson@lacity.org>

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## Second Dwelling Unit ordinances

1 message

Mon, Jun 6, 2016 at 10:07 PM ✓

**Beth Laski** <beth@bethlaski.com>

To: Chaircouncilmember.huizar@lacity.org, Sharon.Dickinson@lacity.org, Councilmember.Englander@lacity.org, Hannah.lee@lacity.org, Doug.tripp@lacity.org, Shawn.Kuk@lacity.org, Clare.Eberle@lacity.org, councilmember.cedillo@lacity.org, Sergio.Infanzon@lacity.org, Gerald.Gubatan@lacity.org, councilmember.ryu@lacity.org, davidryu@lacity.org, cd4.issues@lacity.org

RE: CF #14-0057-S8 ✓

Dear esteemed City Officials and Council Members:

I am writing to urge you to please oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 that will wreak further havoc in our already congested neighborhoods - like mine - that are facing issues of increased crime, traffic, and over building.

I hope you will work to retain the protections embedded within those code sections, particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets. I am particularly concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input. This is where we live.

The repeal of the Second Dwelling Unit ordinances would result in the state's default standards for second dwelling units applying in every neighborhood in the City. This "one size fits all" approach doesn't make sense for a City with so many different neighborhoods, and it will have a negative and lasting impact on our single-family neighborhoods.

I believe a thorough study is necessary and all options explored before a major policy decision such as the repeal of the Second Dwelling Unit ordinances could be considered.

I urge you to delay any action by the PLUM Committee until it has received a full analysis of the options that the City has to comply with state law, the policy implications of repealing the Second Dwelling Unit ordinances, and the potential negative impacts to our neighborhoods.

Sincerely,

Beth Laski  
3360 Longridge Ave.  
Sherman Oaks, CA 91423  
818.300.5424



Sharon Dickinson <sharon.dickinson@lacity.org>

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## PLUM Committee

1 message

**Fran Freed** <pcandmore@pacbell.net>

Mon, Jun 6, 2016 at 10:45 PM

Reply-To: pcandmore@pacbell.net

To: Sharon.Dickinson@lacity.org

Cc: councilmember.huizar@lacity.org, Shawn.Kuk@lacity.org, Clare.Eberle@lacity.org,

Councilmember.Englander@lacity.org, Hannah.Lee@lacity.org, Doug.tripp@lacity.org, councilmember.cedillo@lacity.org,

gerald.Gubatan@lacity.org, Sergio.Infanzon@lacity.org, paul.krekorian@lacity.org

Dear Sharon Dickinson

RE: CF #14-0057-S8

Please oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 and to instead **retain** the protections embedded within those code sections, **particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets**. I am particularly concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input.

The repeal of the Second Dwelling Unit ordinances would result in the state's default standards for second dwelling units applying in every neighborhood in the City. This "one size fits all" approach is the wrong land use policy for a City with so many different neighborhoods and will have a negative and lasting impact on our single-family neighborhoods. A major policy decision such as the repeal of the Second Dwelling Unit ordinances should be considered only after a thorough study of the potential neighborhood impacts and the options available to the City.

I urge you to **delay any action** by the PLUM Committee until it has received a full analysis of the options that the City has to comply with state law, the policy implications of repealing the Second Dwelling Unit ordinances, and the potential negative impacts to our neighborhoods.

Sincerely,

Fran Freed and Arnold Freed



Sharon Dickinson <sharon.dickinson@lacity.org>

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## Opposition to Repeal

1 message

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William Lasarow <wlasarow@mindspring.com>

Mon, Jun 6, 2016 at 11:19 PM

To: Sharon.Dickinson@lacity.org

Cc: councilmember.huizar@lacity.org

Dear Sharon Dickinson, Chairman Jose Huizar, and Council Members Englander, Cedillo, Krekorian, and all planning deputies involved,

I am writing to express my opposition to the repeal of the second dwelling unit ordinances. With all of the already mansionizing and over built dwellings, especially in the Hillside areas, this repeal will further over build and change the character of single dwelling neighborhoods throughout our city. The quality of life and even aesthetic considerations should underscore the need to oppose repeal of protective ordinances now in place.

Most sincerely,

Marilyn Lasarow  
William Lasarow  
wlasarow@mindspring.com



Sharon Dickinson <sharon.dickinson@lacity.org>

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## Opposition!

1 message

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**"Katarzyna A. Śmiechowicz / Kasia A. Leconte"** <halokasia@yahoo.com> Mon, Jun 6, 2016 at 11:34 PM  
To: "Sharon.Dickinson@lacity.org" <Sharon.Dickinson@lacity.org>  
Cc: "councilmember.huizar@lacity.org" <councilmember.huizar@lacity.org>, "shawn.kuk@lacity.com" <shawn.kuk@lacity.com>, "clare.eberle@lacity.com" <clare.eberle@lacity.com>, "councilmember.englanger@lacity.com" <councilmember.englanger@lacity.com>, "hannah.lee@lacity.com" <hannah.lee@lacity.com>, "doug.tripp@lacity.com" <doug.tripp@lacity.com>, "councilmember.cedillo@lacity.com" <councilmember.cedillo@lacity.com>, "gerald.gubatan@lacity.com" <gerald.gubatan@lacity.com>, "sergio.infanzon@lacity.com" <sergio.infanzon@lacity.com>, savecoldwatercanyon@gmail.com

Dear Councilman Huizar:

RE: CF #14-0057-S8

**My name is Katarzyna A. Smiechowicz. I live with my family on he hillside of RESIDENTIAL area of Longridge Estates, 3901 Van Noord Ave, Studio City 91604.**

Please strongly oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 and to instead retain the protections embedded within those code sections, particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets. I am particularly concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input.

The repeal of the Second Dwelling Unit ordinances would result in the state's default standards for second dwelling units applying in every neighborhood in the City. This "one size fits all" approach is the wrong land use policy for a City with so many different neighborhoods and will have a negative and lasting impact on our single-family neighborhoods. A major policy decision such as the repeal of the Second Dwelling Unit ordinances should be considered only after a thorough study of the potential neighborhood impacts and the options available to the City.

I urge you to delay any action by the PLUM Committee until it has received a full analysis of the options that the City has to comply with state law, the policy implications of repealing the Second Dwelling Unit ordinances, and the potential negative impacts to our neighborhoods.

Sincerely,  
Katarzyna A. Śmiechowicz  
3901 Van Noord Ave  
Studio City,  
CA, 91604



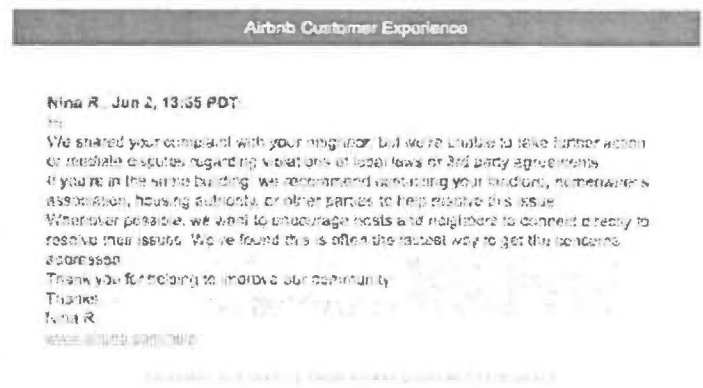
June 5, 2016

Dear City of Los Angeles Planners and City Council:

**It is unacceptable for long term neighbors to be replaced by short term renters.** Homeowners who choose to live in a neighborhood for the sense of community now have STR businesses next door to them. In areas of high short term rental (STR) concentration a constant state of fear exists as friends and neighbors are displaced to make room for STRs. Residential zoning and the rent stabilization ordinance must be preserved. Properties that are converted from RSO units to single family homes must have a 5 year moratorium placed upon them prior to eligibility for STR registration. Geographic caps should be imposed to prevent high concentration STR 'rogue' hotel districts.

**Enforcement must be totally financed by STR surcharges, fees or fines.** While hosts and platform operators profit, everyone else does not. Residents are forced to accept STRs, they should not shoulder the burden of enforcement with resident taxes or TOT dollars.

**STR companies must comply to city demands or be banned from doing business in Los Angeles.** With an industry continually citing privacy as the mechanism to prevent taxes from being collected, this will not do. The engagement of our communities has been marked with dubious marketing and business operations that short change residents. STR leader, Airbnb has targeted and sold access to our neighborhoods illegally. When we complain of problem STRs, we get empty responses (see below). Thus, the STR industry has not been a good corporate partner and remain suspect. **If it easy for an STR operator to register, it must be easy for residents to have their complaints about STRs investigated.**



Below is the link to a petition with **357 constituent signatures to oppose STRs** in our neighborhoods: <http://www.communityaboveprofit.org/petition-1.html>

On behalf of Community Above Profit, our supporters, and our neighborhoods, we have attached recommendations based on extensive analyses of the industry. We greatly appreciate your thoughtful consideration in this matter.

Sincerely,

*Lucy Han, President*  
*Jan Haagen, Vice President*  
*Dr. Michael Masterman-Smith, Advisor*  
*Elliot Prather, Board Member*

Community Above Profit, LLC



@communityabove  
[www.communityaboveprofit.org](http://www.communityaboveprofit.org)



## Please see below for CAP comments and CAP Ordinance

### Main points for ordinance:

1. STR must be illegal in RSO units.
2. Tenants are illegally evicted so the owner may convert unit into a STR. The City must be able to prove STR, otherwise the tenants will have no legal recourse on their illegal evictions. A platform listing should be proof of a STR. If the listing cannot be found, the City should be able to use neighbors evidence (sworn testimony, photos, stings etc..) to prove STR. Administrative citations are given for noise violations based on neighbor's evidence (neighbors hear noise) so it should be for STR as well.
3. Properties that are converted from RSO units to single family homes must have a 5 year moratorium before they can become a STR. Our area is mainly RSO duplexes which are easily converted into single family homes. The moratorium disincentivizes owners from evicting long term tenants and renting the second unit out as an STR. We have neighbors that have converted duplexes into single family homes. They put a lockable door between the units & rent the second unit as a STR.
4. Enforcement must be totally financed by STR fees, fines or surcharges.
5. Platforms must comply to city demands or be banned from operating in Los Angeles.
6. Private right of action must also be included in the ordinance.

### City information for the ordinances referenced below: population, STR inspector contact information/number of inspectors

- LOS ANGELES (POP 3.9M, 2016), 2-3? inspectors
- BIG BEAR (POP 5.1K) Phil Mosley 909-866-5831 [pmosley@citybigbearlake.com](mailto:pmosley@citybigbearlake.com), 2 inspectors
- VENTURA (POP 823K)
- SONOMA (POP 11K) 707-565-1992
- PORTLAND (POP 609K) Thomas Lannom 503-823-5154 [Thomas.Lannom@portlandoregon.gov](mailto:Thomas.Lannom@portlandoregon.gov)
- AUSTIN (POP 885K) Robert Alvarado 512-974-2334 [robert.alvarado@austintexas.gov](mailto:robert.alvarado@austintexas.gov), 4 inspectors
- ANAHEIM (POP 345K) Sandra Sagert 714-765-4413 [ssagert@anaheim.net](mailto:ssagert@anaheim.net), 15 part time inspectors have
  - funding to do stings, mechanism in place for franchise tax board to request host data base, Inspector can turn utilities off for violation
- SAN FRANCISCO (POP 837K) Kevin Guy 415-558-6163 [kevin.guy@sfgov.org](mailto:kevin.guy@sfgov.org), 6 inspectors
- ENCINITAS (POP 61K, 2013)
- PALM SPRINGS (POP 46K, 2013)
- RANCHO MIRAGE (POP 18K, 2013)
- SEASIDE OREGON (POP 6K, 2013)
- SAVANNA (POP 143K, 2013)
- CHICAGO (POP, 2.7M, 2013)
- NASHVILLE (POP, 159K, 2013)

### Outline of CAP Ordinance

- City advertises STR requirements
- Inspectors work 24/7, including weekends
- Separation distance
- Permit Process
  - Inspection before issue permit
  - Guest info (include background check)
  - Guest deposit for fines
  - Neighbors given host info
  - Host training
  - Host response time



- STR requirements
  - Maximum # bedrooms
  - Minimum stay
  - Maximum # overnight occupants
  - Maximum # guests + overnight occupants (day & night)
  - Parking
  - Noise (day & night)
  - Trash location
  - No weddings, etc..
  - Income Tax
- Violations
  - Occupant fines/evictions
  - Can prosecute from neighbor's evidence (include public stings)
  - Enforce state & City tax laws (including income tax)
  - Private right of action
- Fees for STR Dept
  - Surcharge
  - Fines
- STR ordinance assessment by City

**CAP Ordinance:** Cites City ordinances, City reports & corresponding paragraphs. Documents can be provided on request.

#### ADVERTISING

- Big Bear Ordinance 2007-375 7: Put ordinance in newspaper

#### INSPECTORS

- Big Bear Ordinance 2007-375 5C: Inspectors are on call 24 hours/day (including weekends)

#### SEPARATION DISTANCE

- Anaheim SHORT-TERM BEST PRACTICES RESEARCH Separation Requ: 1 STR at a min separation of 2000 ft

#### PERMIT PROCESS

- Portland Ordinance 33.207.040A1: Host must occupy residence for 270 days per year
- Big Bear Ordinance 99-300: Inspection requirements before permit granted. See Big Bear Transient Private Home Rental Inspection Form, Code Compliance Division Policy/Procedural Manual
- Anaheim Chapter 4.05 SHORT-TERM RENTALS 4.05.0103: Compliance health prior to permit issuance
- Chicago 4-6-400(c)(4) host's written plan to ensure applicant complies
- Rancho Mirage Ordinance 1084 3.25.030: responsible person for occupants must be over 30
- Anaheim SHORT-TERM BEST PRACTICES RESEARCH Safety & Screening: Background checks including Megan's law
- Palm Springs Ordinance 5.25.070 (f): host gets applicant/guest info, rules, primary occupant responsible for all guest compliance, etc..
- Anaheim Chapter 4.05 SHORT-TERM RENTALS 4.05.0109: Occupant provides phone number & is accessible to owner at all times
- Anaheim SHORT-TERM BEST PRACTICES RESEARCH Holding occupants as well as owners accountable for violations: Occupants post a deposit that would be forfeited if they commit a violation
- Portland 33.207.060 Guest logbooks, drivers license, passport, car's license, etc
- Palm Springs Ordinance 5.25.070 (k) host provide list of rules to post & give to occupant



- Sonoma 26.88.120(f)10 County mails permit/host contact info to all neighbors
- Sonoma 26.88.120(f)8 manager training
- Palm Springs Ordinance 1848 5.25.070 (c): host respond in person to site within 45 min, respond by telephone within 15 minutes from complaints
- Prohibit homesharing where principal resident has a 2<sup>nd</sup> residence within 100 miles of the City
- Tenant must get a signed notarized authorization approved by landlord to become host
- To qualify as owner of STR, the person must have a 25% ownership interest in property. If title to a property is held by a trust, as trust beneficiary must have an equivalent interest to qualify as owner of STR
- The number of Home-Sharing units in a multi-dwelling structure shall not exceed 1 unit or 10% of the total number of units in the structure, whichever is greater.
- No person, including someone part of another host's household, may apply or obtain more than 1 home-sharing permit, or otherwise operate more than 1 home-sharing residential unit in the City of LA.
- No STR for 5 years after RSO apartment converted into single family home
- Prior to continuing or starting service with platform, hosts authorizes platform to share STR usage data with City. Platform & City would require this authorization.

#### STR REQUIREMENTS

- Nashville Ordinance #: BL2014-951 6.28.030A: 4 or less bedrooms
- Ventura Ordinance 2009-004 6.455.125 4: 7 night min stay all year long
- Seaside Oregon EXAMPLE CONDITIONS ROUTINELY APPLIED TO VACATION RENTAL DWELLINGS 3. Maximum overnight occupancy 9
- Encinitas Ordinance 2006-05 9.38.040B3 Max overnight occupancy: 1 occupant on property+2 occupants/bedroom
- Sonoma 26.88.120(e)3: Maximum number of Guests and Daytime Visitors: max overnight occupants+4 daytime visitors up to 13 whichever is less; no daytime visitors during quiet hours (10pm-7am)
- Anaheim SHORT-TERM BEST PRACTICES RESEARCH Parking Requirements: keep STR occupant cars onsite
- Noise:
  - Rancho Mirage Ordinance 1084 3.25.070F: No equip that reproduces sound shall be audible from outside the STR at anytime
  - Ventura 6.455.125 7(h) No parties from 10pm-7am, quiet hours 10pm-7am
  - Ventura 10.650 Noise Control Article 1-NOISE REGULATIONS GENERALLY
  - Ventura 10.650 Noise Control Article 2-DISTURBANCES CAUSED BY PARTIES AND OTHER ASSEMBLAGES OF PERSONS
  - Austin Ordinance 20160223-A.1 25-2-794(C) No noise between 10:30pm-7am
- Ventura Ordinance 2009-0046.455.125 6 Performance Standards Established: trash
- Sonoma 26.88.120(g)4c1 violations: no party, wedding, exceed maximum occupancy...

#### VIOLATIONS

- Anaheim Chapter 4.05 SHORT-TERM RENTALS 4.05.0116d: occupant fines/evictions
- Big Bear Ordinance 2007-375 5N: No permit: occupant must vacate & host will provide other accommodations (no cost)
- Venture Ordinance 2009-004 6.455.150 2 Violations: failure of host to respond to nuisance complaint
- Can prosecute from neighbor's evidence:
  - Sonoma 26.88.120(g)1 photos, sound recordings, video, stings by public, may constitute proof of violation





- AUSTIN DRAFT STR ORDINANCE Evidence of advertising or occupancy violations: Allow neighbor evidence during admin hearing
- Savanna Part 8 Planning & Regulation of Development Chapter 11.-Short-Term Rentals
- Sec 8010017, Taxes: Enforce state & City tax laws (including income tax)
- Private right of action:
  - Encinitas Ordinance 2006-05 9.38.100: Private Right of Action
  - San Francisco Ordinance 218-14 41A.5(d) Civil Action: Any other interested party may institute civil proceedings for injunctive & monetary relief against owner
- Provide access to code inspection officer for the purpose of making inspections to ensure compliance with all federal, state and local codes, rules and regulations. Such inspections may be made with or without prior notice thereof. Host must be able to get to site in 45 minutes [Palm Springs Ordinance 1848 5.25.070 (c)]
- Host that has a violation, other than not having a permit or a permit listed in the website add, should be checked every month for 6 months

#### FEES

- Chicago 3-24-030B: Surcharge for City
- San Francisco Ordinance 218-14 41A.5(f)g3(B): Fee. Analyze if STR fees support enforcement cost
- San Francisco Ordinance 218-14 41A.6(d) if fines not paid, lien on property
- San Francisco Ordinance 218-14 41A.6(e) deposit of penalties to use for enforcement

#### REVIEW

- San Francisco Ordinance 218-14 41A.5(f)g8 Annual Dept Reporting Requirement: recommend STR amendments

Thank you for your consideration.

*Lucy Han, Community Above Profit (CAP) President*  
*Jan Haagen, CAP Vice President*  
*Michael Masterman-Smith, PhD, Advisor, CAP Board Member*  
*Elliot Prather, Advisor, CAP Board Member*





Sharon Dickinson <sharon.dickinson@lacity.org>

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**CF #14-0057-S8**

4 messages

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**ke stewart** <kennethstewart@gmail.com>  
To: Sharon.Dickinson@lacity.org  
Cc: councilmember.huizar@lacity.org

Mon, Jun 6, 2016 at 10:42 PM

Dear Councilman Huizar:

RE: **CF #14-0057-S8**

Please oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 and to instead retain the protections embedded within those code sections, particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets. I am particularly concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input.

The repeal of the Second Dwelling Unit ordinances would result in the state's default standards for second dwelling units applying in every neighborhood in the City. This "one size fits all" approach is the wrong land use policy for a City with so many different neighborhoods and will have a negative and lasting impact on our single-family neighborhoods. A major policy decision such as the repeal of the Second Dwelling Unit ordinances should be considered only after a thorough study of the potential neighborhood impacts and the options available to the City.

I urge you to delay any action by the PLUM Committee until it has received a full analysis of the options that the City has to comply with state law, the policy implications of repealing the Second Dwelling Unit ordinances, and the potential negative impacts to our neighborhoods.

Sincerely,  
Ken Stewart  
kennethstewart@gmail.com  
310-749-8009

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**Lucy Schouweiler** <indiasharkgirl@gmail.com>

Tue, Jun 7, 2016 at 12:40 AM

To: Sharon.Dickinson@lacity.org  
Cc: councilmember.huizar@lacity.org, Shawn.Kuk@lacity.org, Clare.Eberle@lacity.org, Councilmember.Englander@lacity.org, Hannah.lee@lacity.org, Doug.tripp@lacity.org, councilmember.cedillo@lacity.org, Gerald.Gubatan@lacity.org, Sergio.Infanzon@lacity.org

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RE: **CF #14-0057-S8**

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I urge you to delay any action by the PLUM Committee until it has received a full analysis of the options that the City has to comply with state law, the policy implications of repealing the Second Dwelling Unit ordinances, and the potential negative impacts to our neighborhoods.

Sincerely,  
Lucy Schouweiler

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Nora Doyle <noramdoyle@gmail.com>

Tue, Jun 7, 2016 at 4:23 AM

To: Sharon.Dickinson@lacity.org

Cc: councilmember.huizar@lacity.org, Shawn.Kuk@lacity.org, Clare.Eberle@lacity.org, Councilmember.Englander@lacity.org, Hannah.lee@lacity.org, Doug.tripp@lacity.org, councilmember.cedillo@lacity.org, Gerald.Gubatan@lacity.org, Sergio.Infanzon@lacity.org, councilmember.krekorian@lacity.org

Dear Councilman Huizar:

Please oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 and instead retain the protections embedded within those code sections, particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets. I am concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input.

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Sincerely,  
Nora Doyle  
12319 Hillslope St  
Studio City 91604

Sent from my iPhone

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Brian McGarry <mcgarryfamily@me.com>

Tue, Jun 7, 2016 at 6:48 AM

To: Sharon.Dickinson@lacity.org

Cc: councilmember.huizar@lacity.org, Shawn.Kuk@lacity.org, Clare.Eberle@lacity.org, Councilmember.Englander@lacity.org, Doug.tripp@lacity.org, councilmember.cedillo@lacity.org, Gerald.Gubatan@lacity.org, Sergio.Infanzon@lacity.org

Dear Councilman Huizar:

How is it possible that you and the other members of our city council/leadership can be so incredibly schizophrenic in your decision making process?

I am particularly frustrated and disappointed that you would be considering decreasing limits on building in NEIGHBORHOODS as we all struggle to cope with massive overcrowding and congestion on our streets, imposed mandatory limits on water usage, concerning power grid outages, overwhelming pollution, overcrowded school system that can't physically fit the number of children it already has to contend with, and our diminishing and dying green lands.

I have lived in Los Angeles all my life and can tell you with certainty that in every neighborhood you see fewer and fewer trees and grass and more parking lots and cheap secondary building. I would ask you to find a neighborhood that has shown improvement in the last 30 years. Your proposal to allow second dwelling units in residential neighborhoods is just going to exacerbate a problem that our city is already struggling to contend with. Our infrastructure is not fortified to allow for increased building. To allow for second dwelling units on each property opens the door to more cars parked on our neighborhood streets, more utility strains, and general overcrowding.

Nearly every street in the valley has a condo being built where once stood a home or a small business. The council should stop approving mass growth and increased dwelling units within small residential areas.

Further, ask yourself who is benefitting. Who is showing a real NEED for this change? I would guess the people you are proposing this change for are not the people making this city a better place to live.

Please oppose the City's proposed repeal of Los Angeles Municipal Code Sections 12.24.W.43 and 12.24.W.44 and to instead retain the protections embedded within those code sections, particularly the prohibition on second dwelling units in Hillside Areas and on substandard streets. I am particularly concerned that the City Council is rushing the proposed repeal without giving our City's neighborhoods and residents an adequate opportunity to provide their input.



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Sincerely,

Brian McGarry

Sent from my iPhone