



Sharon Dickinson <sharon.dickinson@lacity.org>

Second Unit Repeal, Council File No. 14-0057-S8

1 message

Margaret Marmot <marmot333@gmail.com>

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To: councilmember.wesson@lacity.org, councilmember.huizar@lacity.org, councilmember.blumenfield@lacity.org, councilmember.englander@lacity.org, councilmember.ryu@lacity.org, councilmember.cedillo@lacity.org, councilmember.krekorian@lacity.org, councilmember.buscaino@lacity.org, councilmember.koretz@lacity.org, councilmember.martinez@lacity.org, councilmember.fuentes@lacity.org, councilmember.harris-dawson@lacity.org, councilmember.price@lacity.org, councilmember.bonin@lacity.org, councilmember.ofarrell@lacity.org
Cc: sharon.dickinson@lacity.org, etta.armstrong@lacity.org

Please include my comments in the council file related to the Second Unit Repeal ordinance.

Council File No. 14-0057-S8

CPC File No: CPC-2016-1245-CA

I am very concerned about the council's recent action with regard to second units. I believe the proposed action will have a detrimental effect on my neighborhood, and on the city in general. It will definitely harm me individually. Subsections **12.24.W.43** and **12.24.W.44** of the municipal code should be repealed.

I live in Atwater Village and have been planning for some time to build a second unit. I have spent time and money developing plans - in fact, when I bought my house in 2012 I chose it in part because it has ample space for a second unit. I discovered a few months ago that the ZA Memo I relied on was suddenly no longer in force, and that DBS would not accept my plans into plan check. Under the law, that applied before the ZA Memo, I would not be able to build anything, because my lot is smaller than the 7500 SF minimum.

This proposed action is not just harmful to me - I believe it is bad for my neighborhood.

As things stand, Atwater Village will be prohibited from building any second units at all

Subsections **12.24.W.43** and **12.24.W.44** contain restrictions on lot size that will prevent virtually all R1 homeowners in Atwater Village from building second units (of any size). The blanket prohibition against building on lots smaller than 7500 SF unfairly prevents Atwater Village homeowners from building needed housing for elderly parents, or extended family. There are very, very few (if any) R1 lots of that size in Atwater Village.

Second units are not a threat to neighborhood integrity

Small second units are already common in Atwater Village and don't represent a change in neighborhood character. Homeowners who have room and can meet zone requirements should enjoy the same benefits as their neighbors who already have second units, and should be permitted to build. On my block, most houses already have a second unit (built decades ago). Why shouldn't I have the same property rights as my neighbors?

Current rules covering setbacks and building heights will prevent the creation of second units that are out of scale.

The grandfather provision doesn't apply to enough people

Grandfathering only the units that already are built or are in plan check ignores homeowners who have tried to obtain permits since the DBS stopped issuing them. It is unfair to penalize homeowners who suddenly found that the ZA Memorandum was no longer being applied, and who already have spent time and money preparing to build.

Homeowners in my situation should be included in the grandfather provision, if the old law is put back into effect.

Continuing to apply state standards will not have an adverse effect

During the period 2010 - 2016 when the state standards were in effect, there was not a rush of activity building second units. Repealing the current city ordinance and retaining the state standards will not cause any cause any unexpected changes to neighborhoods. No surprise plague of voracious developers will be created by keeping the ZA Memo standards that have already been in place since 2010.

The city council should approve the repeal recommended by the Planning Commission

The current ordinance should be repealed. Any new law controlling second units should take into account the characteristics of different neighborhoods. Neighborhoods with smaller average lot sizes shouldn't be forced to apply

rules meant for areas with larger lot sizes. I have seen information from the dept of City Planning that indicates that almost 90% of residential lots throughout the city will be unable to build second units, if the old law is retained.

Nullifying the state law on second units at a time when we are experiencing serious housing shortage seems like a bad policy choice.

Thank you for your consideration
Margaret Goddard
Los Angeles, CA