LA GEECS

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Support for Second Dwelling Repeal Ordinance (CF: 14-0057-S8) and Amendment 12B

Rick Frazier <frazier.rick@gmail.com> Mon, Sep 19, 2016 at 12:02 AM
To: councilmember.huizar@lacity.org, councilmember.blumenfield@lacity.org, councilmember.englander@lacity.org, David Ryu <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, councilmember.wesson@lacity.org
Cc: Sharon.dickinson@lacity.org, Steven Blau <steve.blau@lacity.org>, ackley.padilla@lacity.org, mayor.garcetti@lacity.org, connie.llanos@lacity.org

Dear City Council Members:

We urge you to support the Second Dwelling Unit Repeal Ordinance with Amendment 12B. We understand there is some opposition to Amendment 12B has there are concerns it will lead to a flood of hastily sketched plans being submitted, but we really feel that concern is overstated, and further, we trust a solution can be found to keep that from happening. For example, here is a suggested approach...

Is is possible for the City Planning Department to give assurances that they will put reasonable controls in place in terms of what constitutes adequate plans for the submission of an application? We do not feel it should be acceptable for a permit application to be considered "complete" with simply a hand drawn plot plan of a SDU. Shouldn't a permit application include a complete set of architectural plan sheets drafted by an engineer/architect and including a plot plan, floor plan, electrical plan, Title 124 calculations, etc.? Isn't it possible for the Chief of City Planning to issue a memo requiring that all permit applications must meet this type of minimum plan submission requirements? In other words, if you don't have a professionally drafted set of plan, then your application isn't considered complete and eligible for grandfathering. We are very much advocating for this rather than yet another amendment or change to an amendment which will require a couple more weeks of voting.

Additionally, I have seen the assertions by opposition legal council that the way the City Council and Planning Department are trying to address the SDU Ordinance issue is putting them and property owners seeking to be grandfathered in legal jeopardy, but we beg to differ. This assertion pre-supposes that the majority, or even a modest number of property owners adjacent to neighbors who are building a SDU will desire to sue their neighbor over it. That is not a foregone conclusion, whereas, it is pretty certain that those of us who are actually incurring financial and physical harm due to this limbo situation will seek to take legal action against the city to recover actual damages we have incurred.

My fiancé and I are a prime example of property owners with whom our neighbors will have no quarrel as we live in a non-hillside area and are seeking to build a single-story, 257 sq ft "tiny house" SDU on our 8,000 sq ft lot that will not be visible from the street, and will barely be visible to either of our neighbors. We are adhering to all set-back requirements, installing an additional off street parking space, and adhering to all Green Building, new construction requirements (just as all detached SDUs are required to do).

Additionally, bills that are successfully moving through the California Legislature (SB1069 and AB2299) will be setting restrictions on the limitations that cities can put in their SDU ordinances and very much support more lenient SDU guidelines, so the City Council will be on solid footing legally.

You are definitely caught between a legal rock and litigation hard place, but we implore you to really weigh who is actually being harmed more in an actual financial and real physical sense by this limbo situation which has been going on for 6 months now. Then vote with urgency in favor of 14-0057-S8 with Amendment 12B and assurances from City Planning that only applications with truly complete plan sets be grandfathered.

Thank you for your consideration and all you do for the people of Los Angeles.

Sincerely,

Rick Frazier & Paul Sessa
North Hollywood, CA

Sharon Dickinson <sharon.dickinson@lacity.org>

Response to City Council re: Carlyle Hall lawyers' letters re: CF 14-0057-S8

irabelgrade@aol.com <irabelgrade@aol.com> Mon, Sep 19, 2016 at 10:24 AM
To: councilmember.wesson@lacity.org, Sharon.dickinson@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, etta.armstrong@lacity.org
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Please post re: council file 14-0057-S8, Second Dwelling Units

Dear Council President Wesson and the Honorable Members of the Los Angeles City Council,

I'm writing you in response to the two letters that you received on September 12th and September 15th from Carlyle Hall's attorney Beverly Grossman Palmer. Ms. Palmer's contention that Planning Director Bertoni's testimony "seriously misstates the law" is just another example of Carlyle Hall's propaganda machine spreading more misinformation: it's simply wrong and not true. Requiring Los Angeles lot sizes to be a minimum of 7,500 square feet would be a clear violation of state law AB 1866 as well as the laws' intent. AB 1866 states that, "No local agency shall adopt an ordinance which totally precludes second units within single-family or multifamily zoned areas..." There are many neighborhoods within the city of Los Angeles that do not contain ANY lots that are 7,500 square feet or greater, therefore the City of Los Angeles currently has an ordinance on the books "which totally precludes second units within single family or multifamily zoned areas..." AB 1866 also clearly states that, "It is the intent of the Legislature that any second-unit ordinances adopted by local agencies *have the effect of providing for the creation of second units* and that provisions in these ordinances relating to matters including unit size, parking, fees and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create second units in zones in which they are authorized by local ordinance." If many neighborhoods don't have 7,500 square foot lot size minimums, then that requirement would be an unreasonable restriction that would **not** *have the effect of providing for the creation of second units,* and therefore contrary to the intent of AB 1866.

As for Ms. Palmer's contention that, "Motion 12B violates the Superior Court's judgement and injunction in LANA vs. City of Los Angeles" and whether or not that might be true, there is a simple remedy for that: REPEAL THE OLD ORDINANCE. This is what the City Council had every intention of doing until members of the City Council were swayed by homeowner groups influenced by the fictitious coalition created by lobbyists working with Carlyle Hall to spread misinformation, lies and fear to the wealthier, and mostly white homeowner associations in the Los Angeles area. As I stated to the City Council 2 weeks ago, had this been Wall Street, Carlyle Hall and Rodriguez Strategies would've been charged with a crime, though the City Attorney should be confirming that Mr. Hall's lobbyists were properly registered as required under the law. But let's not

forget what this is really about: one wealthy Cheviot Hills homeowner, Carlyle Hall, who didn't like his neighbor building a legal unit adjacent to Mr. Hall's backyard which may have blocked a small section of Mr. Hall's vista view, atop his cul-du-sac mountain ridge estate.

AB 1866 was the de-facto law in Los Angeles for 6 years and worked without incident or issue. 640 square feet is simply not enough space to house a family and given the severe housing shortage that exists in Los Angeles, homeowners should be given every opportunity to build units to the maximum 1,200 square feet that AB 1866 permits. And the City of Los Angeles should do everything it can to make that available to ALL homeowners, not just ones with gigantic lot sizes. That means eliminating the outdated 15 foot rear/5 foot side yard setback and the outdated covered parking requirement. As Mark Vallianatos and Mott Smith stated in the Los Angeles Times Op-Ed tilted "Our zoning codes are a relic of a suburban age. There's a better way to plan", "...zoning standards for parking, height and setback only work when your 're building a whole new neighborhood from scratch." I have repeatedly asked city council members to view my property in La Brea-Hancock with my 1,190 square foot two story ADU on my 6,750 square foot lot with my 1,509 square foot main house, and see, like the Mayor's office did, that there are no issues whatsoever for my neighbors, my block, or my neighborhood with my Accessory Dwelling Unit. Having good tenants in the unit has enabled my family to remain living in our home of 20 years and has allowed us to continue to be the strong and stable members of our community that we have always been. I also presented this City Council a petition, which now has almost 250 signatures and growing, mostly from Los Angeles homeowners and residents, who support Accessory Dwelling Units and want real reform. The opposition letters you received from various homeowner associations were only mimicking what Carlyle Hall and his lobbyists told them to write and only reflect the views of the miniscule amount of people who actually attend those homeowner association meetings. If there are truly 50,000 unpermitted units in Los Angeles, then that means that there are at least 50,000 people who want real change. Real change can only come about when there is vision, strength and courage, like the kind that Senator Bob Wieckowski and Assemblymember Richard Bloom have shown with the creation of SB 1069 and AB 2299, bills, that when signed by Governor Brown, will truly help accomplish what AB 1866 was unable to accomplish: more safe housing for Californians. Senator Wieckowski and Assemblymember Bloom will be remembered as being on the right side of history, as people who helped affect real social change for Californians, not as people like Carlyle Hall and Beverly Grossman Palmer, who have attempted to set our city back an entire generation, to a time when it was possible for a 20 something starting out in LA, to find a nice studio apartment for $400 a month in Los Feliz, the way I did. Those days are long gone and if the City Council makes the right choice, Carlyle Hall and his paid minions can be long gone too.

Make the right choice: REPEAL THE OLD ORDIANCE AND REMOVE OUR ANTIQUATED ZONING REGULATIONS!

Sincerely,

Ira Belgrade,
Homeowner, Los Angeles
La Brea-Hancock, Council District 4
cell: 818-519-0099

CC: Councilmember Associates,
Planning Dept. Staff
City Attorney staff
Mayor's office staff
State Legislative staff