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July 21, 2016

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Subject: Council File # 14-0057-S8 - Proposed ordinance repealing Section 12.24W43 and 12.24W44 of Chapter 1 of the Los Angeles Municipal Code for the purpose of complying with State Law AB 1866 on Second Dwelling Units and grandfathering Second Dwelling Units permitted since June 23, 2003

At the Studio City Neighborhood Council Board meeting on July 20, 2016, the board passed the following motion.

The Board of the Studio City Neighborhood Council requests that the City Council objects to the repeal of the City's currently adopted 2003 Second Dwelling Unit Standards and replacement of those standards with new less restrictive standards based on the State "default" standards.

The proposed draft ordinance far exceeds the requirements of the State Government Code as adopted pursuant to AB 1866. The proposal to allow 1,200 square-foot second dwelling units (nearly double the 640 square-foot size units currently allowed) through a ministerial process

following the template of Zoning Administration Memorandum 120 ("ZA Memo 120") is not appropriate for our city which is comprised of many distinct communities.

Homeowners in each community are entitled to have a realistic opportunity to create second-units. There exists within AB 1866 allowance for cities to develop variances and zoning exceptions, and even for the development of an ancillary set of SDU regulations in addition to their locally adopted ordinance. It is therefore unnecessary for the City in this case to upset the 2003 ordinance with a high impact, overly broad redraft.

Per Section 65852.2. (a)(1) Any local agency may, by ordinance, provide for the creation of second units in single-family and multifamily residential zones. The ordinance may do any of the following:

- (A) Designate areas within the jurisdiction of the local agency where second units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of second units on traffic flow.
- (B) Impose standards on second units that include, but are not limited to, parking, height, setback, lot coverage, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.
- (C) Provide that second units do not exceed the allowable density for the lot upon which the second unit is located, and that second units are a residential use that is consistent with the existing general plan and zoning designation for the lot.
- (D) Notwithstanding the number of buildings on a single-family residential parcel, there shall not be more than five unrelated adults living on or otherwise occupying, that parcel and the total floor area ratio must comply with the RFA.

The proposed ordinance before the City Council is de facto up-zoning without consideration of additional infrastructure improvements as allowed by AB 1866. The increased density resulting when the SDU enlarges accessory housing to 1200 sq. ft. on a single-family property will increase traffic impacts, parking impacts, noise impacts, sewer, water, electricity, schools, first responders, streets, sidewalks and other infrastructure impacts as well as reduce open space, setbacks and separation between dwellings. The proposed new ordinance amounts to lot subdivision with owners avoiding the additional taxes and community obligations that come with legal subdivision.

If you have any questions please do not hesitate to contact me.

Page 3
July 21, 2016

Sincerely,

Denise Welvang

Denise Welvang, President
Studio City Neighborhood Council

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