



#2

DAVID E. RYU  
COUNCILMEMBER, FOURTH DISTRICT

June 7, 2016

Councilmember Jose Huizar  
Planning and Land Use Management Committee  
200 N. Spring Street  
Los Angeles, CA 90012

Date: 06/07/2014  
Submitted in PLUM Committee  
Council File No: 14-0057-S8  
Item No. 2  
Deputy: Comm from CM Ryu

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

Dear Councilmember Huizar,

Thank you, the committee, and department staff for your efforts on the Secondary Dwelling Unit (SDU) ordinance to ensure the City of Los Angeles complies with State law. The City must address several issues regarding our current SDU policies and implementation in order to comply with State law and a recent Superior Court order. However, the recommendation the PLUM Committee is being asked to consider fails to adequately analyze options that would preserve neighborhood character, protect existing single family neighborhoods from out of scale or uncharacteristic SDUs, and still provide additional housing options.

While the City's existing SDU ordinance does not comply with AB1866 due to discretionary standards as part of the Conditional Use Permit and the exclusion of multi-family zones, the City Planning Commission's recommendation neglects to take into account the options available in bringing our current ordinance into compliance.

The City of Los Angeles should maintain its current SDU ordinance and apply it ministerially per State law through a severability analysis or amend the current ordinance to eliminate the discretionary approvals. AB 1866 specifically states, "Severance should occur wherever possible to preserve the validity of an impermissible statute."

Repeal of the City's ordinance would default the City to the SDU standards codified in California Government Code Section 65852.2(b)(1). These standards are incredibly lenient in comparison to the City's Ordinance. Considering repealing subsections 12.24 W.43 and 12.24 W.44 and the protections they afford needs to be done with ample community input and evaluation.

Councilmember Huizar  
June 7, 2016  
Page 2

The need to grant legal non-conforming status to any SDUs constructed or permitted through the 2003 Internal-Departmental Correspondence or ZA Memo 120 up and until the 2016 Superior Court Order was issued is essential and pressing. We cannot afford to let people who went through the process to construct the SDUs, in compliance with City code, hang in limbo. However, rectifying the situation in which permits were issued and construction commenced should not be at the expense of regulating SDUs effectively within the solid framework of our current ordinance.

I know this issue is of utmost importance to you and the PLUM committee. An ordinance should be drafted that grants legal non-conforming status to those SDUs issued through the previous memos and addresses the conflicting provisions of the City's existing ordinance without eliminating the protections provided there in.

Sincerely,

A handwritten signature in black ink, appearing to read "D. E. Ryu". The signature is fluid and cursive, with a large initial "D" and a stylized "Ryu".

David E. Ryu  
Councilmember