

WESTWOOD NEIGHBORHOOD COUNCIL MINUTES
NOVEMBER 10, 2021
ZOOM MEETING ONLINE OR BY TELEPHONE

1. CALL TO ORDER

President Lisa Chapman called the meeting to order at 7:01 p.m. Board members in attendance were Connie Boukidis, Sandy Brown, Lisa Chapman, Tracey Fitzgerald, Philip Gabriel, Ann Hayman, Stephen Resnick, Marcello Robinson, Paula Rogers, Mark Rogo, and Laura Winikow. Members excused were Roozbeh Farahanipour and David Lorango. A quorum was present. There were approximately 10 stakeholders and guests attending.

2. ANNOUNCEMENTS

Stephen Resnick recommended this season of Curb Your Enthusiasm.

3. APPROVAL OF MINUTES

Lisa Chapman moved to approve the October 13, 2021 minutes, seconded by Tracey Fitzgerald and carried unanimously.

4. COMMENTS BY PUBLIC OFFICIALS

A. State Assemblymember Isaac Bryan's representative Michelle Persoff announced that the Assemblymember is returning from COP26 in Scotland so he could not attend tonight's meeting. He will be holding two Veteran's Day events.

B. CD5 Field Deputy Jasmine Shamolian announced that as of Monday masks will be required indoors at all businesses except grocery stores. There were minor changes to the redistricting map so now Encino is out and the Fairfax district is in. The compliance date for Rocco's Tavern is November 27, 2021. Philip Gabriel mentioned that the timing of traffic lights on Wilshire needs to be fixed and traffic officers there do nothing. Jasmine said she has heard other complaints.

C. UCLA representative Marco Perez reported that new COVID protocols went into effect on November 4th and 97% of students are vaccinated. Metro held a zoom meeting about the Sepulveda Transit Corridor on October 26th, which was recorded. There will be an opportunity for public comments from November 30, 2021 to February 11, 2022. Sewer work will be done on Veteran between Wilshire and Weyburn from November 15, 2021 to June 30, 2022, Monday through Friday from 10 p.m. to 6 a.m. and on the weekend from 8 a.m. to 6 p.m. An update on the Crest Theatre will be held on zoom November 22nd. The Beat 'SC rally will be on November 17th at 5 p.m. at Wilson Plaza, with a bonfire at 7 p.m.

D. SLO James Allen reported that grand theft autos (GTA), burglaries, theft and robberies are up over the whole area. Most of the GTAs are near campus and are of food delivery vehicles. The robberies are of college students after parties.

5. DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT

DONE NEA Freddy Cupen-Ames announced upcoming trainings. Module 3 trainings on November 30th will be recorded and posted on the website, funding training will be held on November 23rd, and that the deadline for anti-bias training is November 30th. Lisa Chapman said she took the training and it is extremely dull. She suggested that the Museum of Tolerance (MoT) does it better and it's interactive so someone should look at that. Ann Hayman agreed, saying that the MoT is the gold standard and has nationally recognized programs.

6. TREASURER'S REPORT

A. Motion to approve Monthly Expenditure Report for October 2021

Treasurer Laura Winikow reported that October's MER included a beginning balance of \$31,412.66, nothing spent, no resolution on the outstanding amount for Media81 of \$2,534.95, an ending balance of \$31,412.66, and a net available balance of \$28,877.71. Laura Winikow moved to approve the October MER, seconded by Stephen Resnick, and approved unanimously.

7. GENERAL PUBLIC COMMENT ON NON-AGENDA ITEMS

Stakeholder Samuel Parnes commented that Los Angeles should have earthquake preparation in the neighborhoods.

8. REDISTRICTING

A. Introduction of Motion to support the Final K-2.5 Map passed by the Los Angeles City Council Redistricting Commission 2021

Connie Boukidis said that since the map has been revised there is no point in voting so she moved to rescind the motion, seconded by Tracey Fitzgerald and carried unanimously.

9. CALIFORNIA SENATE BILL 9 (CALIFORNIA HOME ACT)

A. Introduction of Motion in support of an ordinance to allow local control in regard to some SB9 provisions.

Connie Boukidis moved, "WWNC supports Councilmember Koretz's CD5 SB9 motion as set forth in the attachment below." Tracey Fitzgerald seconded and the motion carried by a vote of Yes: 10, No: 0, and Abstain: 1 (Mark Rogo).

MOTION

Senate Bill 9 (Atkins) (the "Bill" or "SB 9"), entitled the California Home Act, was signed into law by the Governor On September 19th, 2021, and becomes effective on January 1, 2022. The Bill amends Government Code Section 66452.6, and adds two new Government Code Sections 65852.1 and 66411.7; and The Bill will require cities and counties, including charter cities, to provide for the ministerial (or "by right") approval of a housing development containing two residential units of at least 800 square feet in floor area ("duplex") and a parcel map dividing one existing lot into two equal parts ("lot split") within a single-family residential zone for residential use; and

SB 9 eliminates discretionary review and public oversight of this proposed subdivision of one lot into two parcels by removing public notice and hearings by the Planning Department, by requiring only administrative review of the project, and by providing ministerial approval of a lot split, and also offers several opportunities to extend the time, up to 10 years, for the use of an approved or conditionally approved Tentative Parcel Map. The Bill exempts SB9 projects from environmental review as required by the California Environmental Quality Act (CEQA), by establishing a ministerial review process without discretionary review or a public hearing, thereby undermining community participation and appropriate environmental review; and

SB 9 further stipulates that a city or county cannot require a duplex project or comply with any standard that would prevent two units from being built on each resultant lot, and would prohibit a local agency from imposing regulations that require dedications of rights-of way or the construction of offsite and onsite improvements for parcels created through a lot split; and

In addition to various constraints on SB 9 developments as set forth in SB 9, the Bill also authorizes cities and counties to enact local SB 9 implementation ordinances and guidelines that are objective and that are not inconsistent with its mandatory provisions; and

It is important that the City of Los Angeles begin immediately developing a local SB 9 implementation ordinance with associated guidelines and not repeat the past mistakes related to

Senate Housing legislation, specifically the State's 2017 Accessory Dwelling Unit Bill (AB 2299) which became effective on January 1, 2017; however, the City of Los Angeles took approximately 3 years to enact a local ordinance for its implementation; and

Due to the Bills enactment on September 12, 2021, and its effective date of January 1, 2022, there is not sufficient time for a publicly-considered implementation ordinance to be developed, publicly reviewed, and adopted by January 1, 2022; however, in the short-term, the City can and must develop a memorandum to obligate all City Departments and agencies to abide by interim rules and requirements to implement SB 9 locally until such time as the permanent ordinance is adopted; and

The City must also establish a minimum threshold by which certain SB 9 projects cannot be ministerial and must be subject to greater scrutiny in terms of a public hearing process and heightened and environmental review; and

There remains significant unanswered questions about legal, ownership, county-city, and interdepartmental responsibility pursuant to SB 9 implementation that needs to be resolved; and

It is important that both the short-term memorandum and long-term ordinance establish basic precepts applicable to all SB 9 projects, including, but not limited to:

- 1) **Objective Zoning/Subdivision/Design Standards.** The Bill authorizes the City to impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to structures and parcels created by an urban lot split that do not conflict with this section or preclude the construction of two 800 square foot minimum housing units. Accordingly, all such existing objective City standards shall apply to SB 9 projects, in addition to any additional objective standards that the city May adopt.
- 2) **Maximum of Four Units and Two Lots.** SB 9 obligates the City to allow two units per lot, and one lot split, for a total of four units total of two lots (parcels). The city is not required and shall not allow any additional units or structures (such as ADUs), nor any further lots splits, on any parcel that has been split once and on which four units have been approved.
- 3) **Parking.** The Bill allows the City to choose to require parking consistent with the terms of the Bill. Accordingly, the City shall require off-street parking of one space per unit, unless the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code or there is a car share vehicle located within one block of the parcel.
- 4) **Setbacks.** SB 9 allows the City to choose to require setbacks consistent with the terms of the Bill. Accordingly, the City shall require setbacks of up to four feet from the side and rear lot lines in all SB 9 projects and circumstances that are not expressly exempted from such a requirement by the Bill.
- 5) **Applicant Residency.** The Bill requires every SB 9 applicant to provide an affidavit confirming that the applicant intends to reside in one of the SB 9 units for three years. To fulfill this obligation, the City shall require the applicant to sign and record an affidavit placing a covenant that will run with the land to confirm that the applicant will reside in one of the SB 9 units for three years from the City's grant of the application where unit already

exists, or, if no unit then exists, for three years from the City's issuance of the units Certificate of Occupancy.

- 6) **Affordable Covenant.** There is at present an urgent Statewide and City concern about the provision of affordable housing. Every SB 9 project in the City shall require that a fifty-five-year affordable covenant restricting rents to moderate income households (80-120% of AMI), or owner-occupation with price ceiling equivalent to current FHA mortgage limits. These limits shall be applied to all new units and listed on the HCID registry of affordable units or the applicant must pay a commensurate linkage fee that goes towards the City's provision of affordable housing.
- 7) **Impact/Development Fees.** The city shall require the payment of impact or development fees related to the specific impact that will be imposed on a community by the creation of a SB 9 second lot and additional units. Impact fees can be related to a variety of impacts including but not limited to infrastructure, construction impacts, Recreation, libraries, and public art.
- 8) **Special District Exemptions.** SB 9 exempts historic districts and structures from its terms, and also retains the protections of the California Coastal Act. However, Los Angeles has many other special districts that shall be exempted from SB 9 including Survey LA documented historic areas and properties, HPOZs, equestrian-zoned areas, hillside areas with substandard streets, wildlife corridors, habitat blocks, natural resource protection plans, high fire, and high wind zones. Findings of unavoidable adverse impact shall be made pursuant to SB 9 if and as required, for these areas. These districts shall be exempt and protected from SB 9 development.
- 9) **Unavoidable Adverse Impacts.** The Bill authorizes the City to deny an SB 9 project upon written findings, based on a preponderance of evidence, that the project will have a specific, adverse impact upon public health and safety or the physical environment for which there is no feasible method to mitigate or avoid. The City shall assess every SB 9 application for such unavoidable adverse impacts, shall provide its written assessment to the applicable City Council Office, and shall deny a project if an unavoidable adverse impact is identified.

Findings of unavoidable adverse impact shall be made pursuant to SB 9 if and as required, for these areas. These districts as identified above and others as appropriate shall be exempt and protected from SB 9 development.

- 10) **Notification Requirements.** Every SB 9 filing shall require the City to notify those property owners and tenants within a 500-foot radius from the proposed project site that a parcel map has been filed with the City, until an ordinance is adopted.

I THEREFORE MOVE that the Department of Building and Safety, with assistance by the City Attorney and City Planning Department, prepare a memorandum prior to December 31, 2021 that shall be used by all Departments and agencies until such time as a local implementation ordinance is adopted inclusive of the ten above mentioned precepts.

I FURTHER MOVE that the Council instruct the Planning Department with the assistance of the subdivision committee to confirm objective standards specified geography to maintain unique needs for lot design and midpoint width, parking, affordability requirements for first time home buyers based on FHA loan limits for single-family dwellings and duplexes, limits on total dwelling

units on substandard streets and when the development fails to comply with LAMC 12.21-C1(g), grading, hauling, adjustments to building pads, and private streets within maps.

I FURTHER MOVE that the Council instructs the Planning Department to develop prohibitions such as, but not limited to, two units per split lot, changes in grade, hauling, adjustments to building pads, and private streets, removal of protected and desirable trees without replacement.

I FURTHER MOVE that the Council instruct the Planning Department to prepare a report that discusses the feasibility of potential exemptions for high fire hazard severity zones, habitat for protected species, horse keeping, substandard roadways, or other geographic areas as determined for which the implementation of SB 9 would result in a specific, adverse impact.

I FURTHER MOVE that the City Planning Department, with the assistance of the City Attorney and the Department of Building and Safety, begin developing a work program for the preparation of the permanent ordinance for the implementation of SB 9.

10. BOARD RESIGNATION

- A. Discussion for a replacement as Owner Residential Area 4 Director
Lisa Chapman will send out a recruitment letter.
- B. Discussion for a replacement as a Renter Residential Director
Lisa Chapman will send out a recruitment letter.

11. STANDING COMMITTEE STATUS REPORTS

- A. Executive – no report
- B. Land Use & Planning – no report
- C. Outreach & Communications – see agenda item 10
- D. Homeless Task Force

Lisa Chapman announced that the homeless count will take place on January 26, 2022. Lisa will co-chair it with Steve Sann. The Westwood Presbyterian Church has been reserved.

E. Budget Advocates

Marcello Robinson announced that the next meeting is on zoom on November 20th. He will send a link.

F. Public Safety/ Transportation & Parking

Chair Philip Gabriel stated that traffic on Wilshire and in Westwood Village is bad and will only get worse over the next three or four years.

G. Bylaws

Sandy Brown reported that a meeting will be scheduled for after Thanksgiving.

H. WRAC – Report and Motions

- 1. Support: Request for Councilmembers to Cooperate with Member Councils re Designation of Sites Under LAMC Sec. 41.18

<https://westsidecouncils.com/motion/request-for-councilmembers-to-cooperate-with-member-councils-re-designation-of-sites-under-lamc-sec-41-18/>

Stephen Resnick attended the WRAC meeting. The meeting started at 6 p.m. and Raquel Beltran showed up at 6:38 p.m. The City Charter was discussed. The definition of elected Neighborhood Council members in the City Charter is not the same as other volunteers.

Stephen Resnick moved the following motion, seconded by Ann Hayman. The motion carried by a vote of Yes: 6 (Connie Boukidis, Sandy Brown, Ann Hayman, Stephen Resnick, Paula Rogers, Laura Winikow), No: 2 (Lisa Chapman, Philip Gabriel), and Abstain: 2 (Tracey Fitzgerald, Mark Rogo).

“The Westwood Neighborhood Council urges Councilmembers Bonin, Koretz, Raman and Ridley-Thomas (Councilmembers representing WRAC Member-Councils) to consult as soon as possible with their respective WRAC Member-Councils for input as to the designation of sites within their districts for enforcement pursuant to LAMC Sec. 41.18(c)(1)-(4) and 41.18(d), including: 1) schools, day care centers, public parks and public libraries, as defined in LAMC Sec. 105.01 (“sensitive uses”) (41.18(c)(1)); 2) overpasses, underpasses, freeway ramps, tunnels, bridges, pedestrian bridges, subways, washes, spreading grounds and active railways, when public health, safety or welfare is served by the prohibition (41.18(c)(2)); 3) designated facilities opened after January 1, 2018 that provide shelter, safe sleeping or safe parking to homeless persons or that serve as homeless services navigation centers (41.18(c)(3)); 4) any locations in public rights-of-way for which there is documentation of a “particular and ongoing threat to public health or safety” (41.18(c)(4)). No enforcement action shall be taken unless the individuals have been offered shelter and have refused the offer.

The Westwood Neighborhood Council further requests that 1) Councilmembers bring resolutions in Council pursuant to LAMC Sec. 41.18(c)(1)-(4) and 41.18(d) as soon as any sites meeting the requirements of such sub-sections are identified to them by their respective WRAC Member-Councils; and 2) the distance of the radius prohibition set forth in such resolutions shall be as requested by the relevant WRAC Member-Councils, consistent with the distance set forth in such sub-sections.”

[Background Information](#)

I. Park Advisory

Westwood PAB member Tracey Fitzgerald reported that the PAB voted to support Councilmember Koretz’s motion. A committee is working on a wish list for the park.

12. ADJOURNMENT

President Lisa Chapman adjourned the meeting at 9:03 p.m.