

WRAC-LUPC & Ordinance Report -- 1/10/19

This will report on the recent Westside Regional Alliance of Councils Land Use & Planning Committee (WRAC-LUPC) meeting and also briefly update the board on ordinances and planning measures that PPCC has been following.

First, two ordinances that PPCC has previously taken positions on passed in City Council before the holidays in 2018. These are the **home-sharing (short term rentals)** and **sidewalk vending** ordinances (see PPCC's position letters at www.pacpalicc.org, Documents/Motions & Positions; see also information at Resources/Reports & Summaries). In brief, the **home-sharing ordinance** allows homeowners to rent out their primary residence on a short-term basis for up to 120 days annually (with unlimited annual extensions possible); the law won't become effective until this coming summer, when a yet unwritten **"vacation rental" ordinance** -- allowing second homes to be rented out on a short-term basis -- is expected to be considered by City Council. Community leaders tracking this issue believe that a vacation rental ordinance will undermine the home-sharing ordinance by imposing a different set of regulations on second homes. We will monitor.

Under the new **sidewalk vending ordinance**, the sale of food and merchandise from sidewalk carts will be allowed almost everywhere, including in residential zones, with certain exceptions and conditions. This is the result of SB 946 (opposed by PPCC), which passed in the legislature in 2018. Under this state law, cities cannot deny permits to sidewalk vendors except when there is specific proof of a direct adverse impact on public health, safety or welfare. The new LA ordinance actually designates certain well-known venues as **"No Vending" zones** on alleged safety grounds. This includes, for example, the Hollywood Walk of Fame, the Staples Center and the Venice Boardwalk. A motion is also pending in a Council committee to determine the feasibility of making three additional Business Improvement District (BID) areas "No Vending" zones – Melrose, Encino and Westwood. This option may be explored by several other BIDs in Council District 11, including San Vicente/Brentwood, Westchester and the Palisades. We will monitor any developments.

Turning to the WRAC LUPC meeting, we received updates from Tom Rothmann, Principal Planner with the City Planning Dept., on some of the Planning-related ordinances that are pending in Council and haven't yet passed: these include the so-called **Processes & Procedures** ordinance that is part of the 5+-year **Re:code LA** effort to revise the entire zoning code. He also spoke about the new proposed **"Restaurant Beverage Program,"** an ordinance to allow restaurants to apply for alcohol permits via a streamlined administrative procedure instead of a full-blown Conditional Use Beverage permit process. As previously explained to the PPCC LUC and board, only restaurants with full kitchens may apply for this process. They would be required to comply with 30 specific conditions or performance standards, and the process would not apply to bars or nightclubs, or to establishments with off-site liquor sales such as markets, gas stations and the like. There will be a public Planning staff hearing on January 31, and written

comments will be due on February 15. More information about the Program can be found on the Planning FAQ sheet which is posted on our website under Resources/Presentations & Support.

Meeting attendees also learned that the Re:code process is proceeding apace, with **revised Zoning code provisions** expected to be in place for the central City and Boyle Heights areas this March, and other residential zones to follow soon after. As an outgrowth of this information, we have partnered with Brentwood Community Council (BCC) to organize an important **educational workshop on how to navigate the new Zoning Code**, to be **jointly hosted by PPCC and BCC**. The workshop – a public service to our communities -- is set to take place on **Saturday March 30** at 10:30am in Gilbert Hall at Palisades Charter High School. Sharon Commins, WRAC-LUPC co-chair and co-chair of the City Zoning Advisory Committee, has agreed to moderate and teach us how to use the new Code. Tom Rothmann of Planning will also be present to answer questions. The *de minimis* expenses will be shared with BCC. The PPCC Executive Committee unanimously supports this effort, and the PPCC LUC has no objections. If there are no objections from the board, we will go ahead and finalize these plans. Be sure to mark your calendars -- everyone should make plans to attend!

Finally, Sharon Commins presented information to WRAC-LUPC members about **Senate Bill 50**, a bill introduced in the State Senate this past December by Sen. Scott Wiener/San Francisco. SB 50 is a revised version of Sen. Wiener's prior failed bill, SB 827, which died in Senate committee last year after strong opposition statewide (including from PPCC, WRAC, the City of Los Angeles and the League of California Cities). Like SB 827, SB 50 would require cities to allow large, multi-family residential structures located in "transit-rich" areas, regardless of restrictions otherwise imposed by local community plans, specific plans and zoning regulations. The new bill would also force cities to allow such structures in areas near so-called "jobs-rich projects" – to be determined by a State agency in Sacramento, not by the cities where such areas or projects are actually located. It appears that like SB 827, SB 50 is another top-down effort (continuing a trend in the State legislature) to increase housing statewide by severely restricting and even eliminating local control over land use – thus eviscerating the longstanding principle of "home rule." **WRAC-LUPC passed a motion recommending opposition to SB 50**, which will be considered by WRAC leadership at an upcoming meeting and may eventually be considered by member Councils, including PPCC. Stay tuned for more information.

As always, board and community members are invited to contact PPCC Secretary Chris Spitz at info@pacpalicc.org for further information about any of the above matters.

*Chris Spitz, PPCC Secretary
January 10, 2019*