



Minutes
Planning & Land Use Committee Meeting (Virtual)
Tuesday August 11, 2020 5:00 pm – 7:00 pm
To Join Meeting Dial (669) 900-6833 Webinar ID: 972 2189 3155

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage, Vice Chair	X	
Robin Greenberg	X		Nickie Miner		X
Don Loze	X		Jamie Hall	X	
Yves Mieszala	X		Jason Spradlin		X
Maureen Levinson	X		Leslie Weisberg		X
Stella Grey	X		Wendy Morris	X	
Shawn Bayliss	X		Cathy Wayne	X	
André Stojka (new member)	X				

1. Call to Order – Committee Member Roll Call: Meeting called to order at 5:07pm, with 10 members present initially. Two members arrived at 5:09 pm for a total of 12 present and 3 absent.
2. Approval of the August 11, 2020 Agenda: Stephanie moved; Bob seconded; 9/0/1 abstention: André; passed.
3. Approval of July 14, 2020 Minutes: Bob moved; Maureen seconded; 9/0/1 abstention: André; passed.
4. Public Comments: On any topic not on adopted agenda within Committee’s jurisdiction: None
[Don and Wendy arrived at 5:09 pm.]
5. Chair Reports: Robert (Bob) Schlesinger, Chair: None. Stephanie Savage, Vice Chair, noted that we will be requesting AA cases to attend the PLU meetings. Shawn answered questions on grading and AA cases. Jamie noted that if the lots are contiguous and in the same ownership, need to look at cumulative amount of grading; need to look at the real project with regard to reason for moving lot lines more closely; these can be appealed. Shawn explained caveat as to lot lines: B&S came out with a determination being appealed, calling these de facto parcel maps; if you do a lot line adjustment, you are allowed to redefine grade for the purposes of raising height. Some are pulling a lot line adjustment and calling it a parcel map.
6. **Discussion & Possible Motion Regarding Senate Bills & Assembly Bills – on Housing & CEQA with Possible Recommendations for the BABCNC Board to Send Letters to Senators, Assembly Members & Council Members.**
(Introduction dates noted below may be followed by amendments, dates not listed.)

- Brief review and discussion was held on the following housing bills:
 - SB 902 and SB 1120** will allow 10-unit apartments built in every neighborhood and all single-family lots to be split in half, to build multiple housing units on each half.
 - SB 902** http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB902
Introduced by Senator Wiener (*Principal coauthor: Senator Atkins*) January 30, 2020
- This includes the hillsides. It was noted that the government may adopt an ordinance if they chose to that is contrary to another law passed, e.g., something in the city charter; however, it doesn’t compel.
 - SB 1120** http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1120
Introduced by Senators Atkins, Caballero, Rubio, and Wiener
(Principal coauthor: Senator McGuire) (Coauthors: Senators Lena Gonzalez, Hill, and Roth) February 19, 2020
- This includes duplexes and by right subdivisions; ADUs and up to two units on a property.

SB 995 To streamline and expedite environmental review for housing projects, a lead agency shall prepare a master environmental impact report for a general plan, plan amendment, plan element, or specific plan for housing projects where the state has provided funding for the preparation of the master environmental impact report. **SB 995** http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB995
Introduced by Senators Atkins, Wiener, Caballero, and Rubio
(Principal coauthors: Senators Lena Gonzalez, Hill, and McGuire) (Coauthors: Senators Durazo and Roth)
(Coauthors: Assembly Members Burke, Santiago, and Ting) February 12, 2020
- This expedites environmental review.

AB 725 and AB 3040 will mandate that single-family neighborhoods be identified as locations for multi-family development and allow four dwellings built where one home stands now. In most cases, these changes are “by right” (meaning no community input) and no affordable units are required. In case you’re wondering: No communities are exempt – not gated, not hillside, not working-class or middle-class communities. These bills increase land speculation, gentrification, and displacement of vulnerable communities.

AB 725 http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB725
(Coauthors: Senators Skinner and Wiener) February 19, 2019

AB 3040 http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3040
(Introduced by Assembly Member Chiu) February 21, 2020

Following review of the above bills, discussion included but was not limited to:

- When taken together these bills have maximum power to be harmful. A way for the state to push cities to take the only economically feasible result that would coincidentally result in the destruction of single family neighborhoods.
- Housing targets are not new. We have already authorized JJJ and we are building housing at a remarkable rate in Los Angeles. We are required to build over 500,000 units and we are only doing 50,000 a year.
- Additional bills reviewed included SB1085, AB 2345, Richard Bloom’s AB 1279 and AB 3107. It was noted that Richard Bloom decided not to proceed with AB 1279 and AB 3107 (they may be brought back at the next legislative session.)
- Issue raised as to whether there is infrastructure to support it all. No studies to support all of these things being proposed, and until they are available, they should be rejected.
- It was noted that the City was required to articulate all of our community plans. All the planning could be wiped out by the whim of whomever comes along without participating in what we have been doing for years.
- It was suggested that for the Big Picture, join with 98 other NCs and create significant protest with the support of Planning Department and Council People; real action has to be the opposition.
- May want to hear from Jill Stewart or other focused people, e.g., Heidi with Livable California.

Housing Bills Opposition: Motion: To draft a letter/CIS opposing certain housing bills pending in the California Assembly and Senate on the grounds that increased density in very high fire hazard severity zones without concomitant improvements in infrastructure poses an undue risk to public health, safety and welfare. Further, many of the developments that the legislation would facilitate in hillside communities would result in the permanent loss of native habitat necessary for the survival of flora and fauna and accelerates climate change. Moreover, passage of such legislation is premature because past housing measures have yet to be fully implemented. Legislation to be opposed on these grounds includes Senate Bill 1120, Senate Bill 902 and Assembly Bill 3040. **Moved** by Jamie; **seconded** by Bob; **13/0/0; passed.**

Ministerial Permit Reform: Motion: To draft a letter to Councilman Ryu and Koretz asking them to initiate reform of the appeal process related to ministerial permits issued by the Los Angeles Department of Building and Safety and Department of Public Works. Currently the Department of Public Works does not even have an appeal process for permits/clearances that are issued which makes it extremely difficult (if not impossible) for citizens to get errors corrected when they are made. Moreover, BABCNC calls for more transparency and input in the appointment of commissioners to the Board of Building and Safety Commissioners. Further, the City should consider creating an ombudsman to oversee activity at the LADBS and/or Department of Public Works. **Moved** by Jamie; **seconded** by Robert; **12/0/0; passed.** [Suggestion possibly talk w/Jack Humphreville; BBSC & APC.]

- Brief discussion was held on Hadid’s projects. Noted that for Cedarbrook, permit for 65 foot tall building not allowed under BHO. Discussion held on the cumbersome nature of a permit appeal.
- Don mentioned an article by Erwin Chemerensky on “Restoring Separation of Powers.”
- Discussed need to work with CM Ryu to get the NC process back.
- Discussed CM Ryu’s proposed amendment to remove 245e to prevent the city from asserting jurisdiction over land use matters, when they use their 245 authority. Discussed that it is a safeguard built into the city charter. Discussed this 245 and 245e in detail.
- Noted that there is no appeal for wrong decision, e.g., substandard street, could be added. Noted that there are some items without any process, e.g., BOE, when they clear roadway widths, even if they make a colossal mistake, there is no process.
- Discussed continuing to hold PLU meetings at 5:00 pm.

Current Case Updates by PLUC Members on pending projects:

7. New Packages Received: See Project Tracking List
8. Certified Neighborhood Council (CNC) Reporting Review of New Projects Submitted
9. Upcoming Hearings: See Project Tracking List (Subject to discussion & action)
10. Determination Letters Received: See Project Tracking List
11. Pending Haul Routes (Update by any PLU Committee members)
12. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)
13. Adjournment **6:47 pm**

Next PLU Meeting: September 8, 2020 @ 5:00 pm

ACRONYMS:

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| A – APPEAL | PM – PARCEL MAP |
| APC – AREA PLANNING COMMISSION | PMEX – PARCEL MAP EXEMPTION |
| CE – CATEGORICAL EXEMPTION | TTM – TENTATIVE TRACT MAP |
| DPS – DEEMED TO BE APPROVED PRIVATE STREET | ZA – ZONING ADMINSTRATOR |
| DRB – DESIGN REVIEW BOARD | ZAA – ZONING ADMINISTRATOR’S ADJUSMENT |
| EAF – ENVIRONMENTAL ASSESSEMENT FORM | ZAD – ZONING ADMINISTRATOR’S DETERMINATION |
| ENV – ENVIRONMENTAL CLEARANCE | ZV – ZONING VARIANCE |
| MND – MITIGATED NEGATIVE DECLARATION | |

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