

PLUM-100921-AGENDA

Planning/Land Use Management Committee

Tuesday, SEPTEMBER 21, 2010 6:00 to 7:55 PM

Mar Vista Library (Southwest corner of Venice and Inglewood Blvds.)

12006 Venice Blvd., Mar Vista, CA 90066

Co-Chairs: Steve Wallace and Sharon Commins

Agenda

1. Call to Order (1 min.)
2. Volunteer to Take Minutes (1 min.)
3. Introductions and Public Announcements/Comments for items not on the agenda (2 min.)
4. Approval of Minutes (2 min.)
5. Report on MVCC Board Actions re Urban Planning/Land Use Committee resolutions (3 min):
 - a. **Policy Motion VTT-71010-CC 4207 S McLaughlin Ave 90066** 6-Unit Condo Conversion APPROVED
 - b. **Policy Motion Mar Vista Montessori School and Infant Care Center CUP Renewal:** APPROVED
 - c. **Policy Motion Adoption of Citywide Urban Design Guidelines as an Appendix to the General Plan Framework Element: POSTPONED TO OCTOBER MVCC BOD MEETING; rewrite contemplated-see item 8e**
6. Early Notification System ['ENS'] Update, if any (2 min)
7. Old Business/Open Issues: Committee/Task Force Updates, with potential motions, receive and file by consent (15 min.)
 - a. Commercial Corridors Update /Concept Plan [Livable Boulevards] REPORT: on hold due to budget
 - b. Historic Fire Station 62 update: none
 - c. ROSE Committee update: Fall Festival planning in full swing mode; posters and flyers available
 - d. Planning Pilot Program PLANCHECK update <http://plancheckncla.com/>
 - e. **Bundy Village update:** applicant received 120 day extension. Tentative hearing date, February 8, 2011
 - f. Casden Project update: EIR due out any day, per Westside NC PLUM
 - g. Red Mountain 3115 Sepulveda-Bank repossessed the property; project on hold indefinitely
 - h. Culver City border corridor projects [Michael Scheffe]
 - i. Vacant Wild Oats building, Centinela at Palms: receiving complaints re trash, graffiti and vagrants
 - j. **Medical marijuana shops:** No shops are eligible to stay open in Mar Vista; City following up on closures.
 - k. **El Zacatecas Bikini Bar update:** Continue to report all concerns directly to Det. David Lange, 36173@lapd.lacity.org Phone: (213) 996-1256, See Attachment A
 - l. **12756 Mitchell Ave [day care]; 12767 Mitchell Ave [Mary's Produce]:** referred to MVCC Safety and Security Committee for follow-up
8. New Business [see <http://cityplanning.lacity.org/> for City documents and ordinance texts related to items c, d, and e]
 - a. Brief introduction of proposed garage conversion project at 3975 Alla Road, MVCC Zone 6, Alex Goldshtadt, property owner. This project has not yet been filed with the City. **DISCUSSION ONLY; NO MOTION**
 - b. **ZA-2010-2447-ZV; ENV-2010-2448-CE**, 3487 S Beethoven St, George Chung Realtors. Application to continue existing office use. **Possible motion**
 - c. **Sober Living Housing Regulation: CPC-2009-800-CA; ENV-2009-801-ND 'COMMUNITY CARE FACILITIES' proposed City ordinance, motion to request extension of public review period** [see Attachment B]
 - i. **PROPOSED MOTION:**

Whereas the operation of illegal group homes is a priority issue not only for the Community of Mar Vista but for many other residential areas throughout the city of Los Angeles and stakeholders have approached the Mar Vista Community Council for help in obtaining stricter regulations and

Whereas the proposed ordinance lacks language establishing an over-concentration distance metric requiring all community care facilities be located 300 feet or more from each other and 2,000 feet or more from schools, and lacks language clearly stating that there will be no public benefit test for any unlicensed home which serves seven (7) or more residents and specifically prohibiting unlicensed facilities serving six (6) or fewer residents in the R1 zone

the Mar Vista Community Council hereby requests an extension of the time for public comment for CPC-2009-800-CA; ENV-2009-801-ND 'COMMUNITY CARE FACILITIES' in order to thoroughly review, evaluate, and comment on this proposed Ordinance, and additionally requests a rescheduling of the hearing currently set for October 14, 2010 before the City Planning Commission.

- d. **CPC-2010-1572-CA; ENV-2010-1573-ND, aka 'CODE SIMPLIFICATION'**: proposed amendments to the Los Angeles Municipal Code to update common findings for conditional uses, adjustments, and other quasi judicial land use approvals. **Motion to extend public review period**
- i. **PROPOSED MOTION:** *Whereas the rewriting of the common findings for conditional uses, adjustments, and other quasi judicial land use approvals has far reaching implications for the everyday quality of life in our City, and whereas the public comment period allotted does not allow Neighborhood Councils adequate time to review the seven proposed Core Findings with their stakeholders in order to respond in detail, the Mar Vista Community Council hereby requests an extension of the public comment period for CPC-2010-1572-CA; ENV-2010-1573-ND 'CORE FINDINGS' and additionally requests a rescheduling of the hearing currently set for October 14, 2010 before the City Planning Commission*
- e. **REWRITE MOTION APPROVED IN AUGUST TO CONFORM TO COMMUNITY IMPACT STATEMENT LIMITS RE: NEGATIVE DECLARATION-NG-10-280-PL: ENV-2010-715, Michelle Sorkin, Planner, (213) 978-1199. Citywide. Adoption of Citywide Urban Design Guidelines as an Appendix to the General Plan Framework Element for Multifamily Residential, Mixed-Use, Commercial and Industrial land uses.**
- i. **Contemplated Policy Motion rewrite:** *The Mar Vista Community Council wishes to express unease regarding lead time for Department of City Planning outreach, review, discussion, and public comment cycles when drafting major policy documents such as the proposed Citywide Design Guidelines, Core Findings, and Community Care Facilities Ordinance. All background research, including precise text of proposed changes and how they fit into the General Plan Framework Element, should be posted online early in the process for transparency and full public participation. The disclosure of ordinance text immediately prior to the City Planning Commission hearing thwarts adequate public input into the preparation of these proposals and prevents full discussion and vetting by Neighborhood Councils within their 60 day meeting cycle.*
9. Public Comment (1 min.)
 10. Future Agenda Items (1 min.)
 11. Adjournment
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ATTACHMENTS

A. ZACATECAS BAR UPDATE

- The illegal temporary banners have been removed
- The out of service food type truck, which was non-operable and parked in the rear alley has been removed.
- The illegal adult entertainment has been stopped. Lap dances have been stopped and all advertisement inside the location for lap dances has been removed.
- The owners were advised on proper use for the outdoor patio in the alley, which building and safety has reviewed. Alcohol is not allowed on the outside patio.
- The back entrance is unlocked for patrons, which is required for safety per building and safety. Previously it was locked and provided no route for patron escape in the case of an emergency.
- The playing of Pool has been stopped until the location has obtained the required Police Permit.
- The owner and her husband met with Det. Lang and were given a written warning for previous violations dating back to 2003/04 when they had the ABC violations. All violations were reviewed and they were advised how to maintain a business which remains in compliance. This is permanently in their CID file and will be used as documentation should they show another trend of not staying in compliance.

B. COMMUNITY CARE FACILITIES ORDINANCE

The City of Los Angeles has proposed amending Sections 12.03, 12.05, 12.07, 12.07.01, 12.07.1, 12.08, 12.08.1, 12.08.3, 12.08.5, 12.09.1, 12.09.5, 12.10, 12.12, 12.12.2, 12.21, 12.22, 12.24, and 14.00 of the LAMC to add definitions of *Community Care Facility, Residential Care Facility for the Elderly, and Alcoholism or Drug Abuse Recovery or Treatment Facility* to the LAMC to bring it into conformance with the California Community Care Facilities Act.

The proposed ordinance as presently drafted:

- Allows facilities with six or fewer residents in any zone that permits single-family homes as per State law.
- Permits those with seven or more residents as public benefits, requiring performance standards.
- Amends the definitions of *Boarding or Rooming House and Family* to provide clear guidelines for the appropriate enforcement of boarding homes with transient characteristics and prohibits *Boarding or Rooming Houses* in one-family dwellings zoned RD.

- Adds a definition for *Correctional or Penal Institution* to ensure that group homes for parolees are classified as conditional uses.
- modify the Los Angeles Municipal Code's ("LAMC")'s existing definitions of *family* and *boarding/rooming houses*, and adding the definition of *single housekeeping unit*, as a way to provide effective tools for the City to enforce its zoning laws with respect to transient types of group homes operating in single family neighborhoods

What the ordinance needs added:

- An over-concentration metric which states that all community care facilities must be located more than 300 feet from each other. State law preempts City regulation, and this proposed language relies on state distance requirements and state enforcement regarding over-concentration.
- A distance requirement of 2,000 feet from community care facilities to schools.
- To clearly state that there will be no public benefit test for any unlicensed home which serves seven (7) or more residents. Furthermore, unlicensed facilities serving six (6) or fewer residents shall be prohibited. The proposed ordinance should conform with state law that requires any and all residential facilities to have a valid license to operate. Any existing unlicensed sober living facility, boarding or rooming house, or any illegal licensed community care facility, would have to comply with the new ordinance to be permitted.