



Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE
PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: Chair-LUPC@VeniceNC.org



MINUTES FOR LAND USE AND PLANNING COMMITTEE MEETING

DATE: January 5, 2011
LOCATION: Oakwood Community Center
767 California Avenue, Venice, CA 90291 (Corner of California and 7th; Community Room)
TIME: 6:45pm-9:00pm
NOTE: Regularly Scheduled Land Use and Planning Committee Meeting

6:45pm-7:15pm

1. Call to Order – Roll Call.

<i>Name</i>	<i>P</i>	<i>A</i>	<i>Name</i>	<i>P</i>	<i>A</i>
Jake Kaufman, Chair	x		Susan Papadakis	x	
Robert Aronson	L		John Reed	x	
Sarah Dennison	x		Jory Tremblay	x	
Jay Goldberg	L		Karen Wolfe	L	
James Murez	x				

2. Approval of Minutes from last meeting. Approved with 1 context change, -SP.
3. Approval of Agenda as presented or amended. Approved, removed one item, brought up Ado/item 7a.
4. New Project Review and Staff Assignments.

Review, discussion, and possible action on projects identified in applications filed with the City of Los Angeles Department Of City Planning as reflected on the CNC Reports, to build Agendas for future meetings. (*To review the CNC Reports please go to www.Planning.LACity.org and click on "Case Information" on the left side, then click on "Bi-Weekly Case Filing" or, go to www.CityHood.org*)

7:15pm-9:00pm

5. Public Comment.
 - a. 10 minutes on non-agendized items related to Land Use and Planning only.
 - i. Dede Audet was in public, we recognized her 90th birthday!
6. Land Use and Planning Committee Announcements.
 - i. None made.
7. Old Business:
 - a. 796 Main St; Ado; [ENV-2010-1186-CE](#) and [ZA-2010-1184-CUB-SPP](#)
 1. *Renew CUB to continue.*

- 2. *As part of application wanted to expand to outdoor, but has chosen not to do this because of lack of parking.*
 - 3. *Change for hours:*
 - a. *900a-1230a Sunday-Thursday*
 - b. *900a-130a Friday and Saturday*
 - ii. Staff, Jake Kaufman
 - iii. Applicant, Ado
 - iv. Public Comment
 - v. **MOTION**
 - 1. **Motion to recommend ENV-2010-1186-CE and ZA-2010-1184-CU as currently filed, noting (A) no change in seating or parking (B) change of hours of 9a-12:30a Sunday through Thursday and 9a-1:30a Friday and Saturday and (C) no other changes or variances required to VCZSP or BMP.**
 - 2. **Made by Jake Kaufman, Seconded by John Reed**
 - 3. **Approved (5-0-1) [Abstained: Jim Murez]**
 - 4. **Date of Motion: January 5, 2010**
8. New Business:
- a. 559 E. Westminster Avenue
 - i. *Review of existing Garage Conversion legalization to allow one SFD and two one BR units on a single lot zoned RD1.5-1 in the Oakwood Area.*
 - ii. Staff, Sarah Dennison
 - iii. Applicant, Rochelle Branch
 - iv. Public Comment
 - v. **MOTION:**
 - 1. **Motion to recommend that the VNC approve the project as presented, as there is overwhelming evidence that the conversion of the garage, which was constructed in 1927 and has been in continuous residential use since 1928 and is therefore, a non-confirming use.**
 - 2. **Made by Robert Aronson, Seconded by Jory Tremblay**
 - 3. **Approved (5-0-2)**
 - 4. **Date of Motion: January 5, 2010**
 - b. ~~2504 Pacific Ave; [APCW 2010 2130 SPE CDP ZAD SPP](#) and [ENV 2010 2131 EAF](#)~~
 - i. ~~*CONVERSION OF THREE EXISTING DUPLEXES; EACH BUILDING WITH A GUEST ROOM; INTO THREE FOURPLEX BUILDINGS WITH 6 FOOT HIGH FENCE IN THE FRONT YARD AND REDUCED 15 PARKING SPACES.*~~
 - ii. ~~Staff, Karen Wolfe~~
 - iii. ~~Applicant~~
 - iv. ~~Public Comment~~
 - v. ~~MOTION~~
 - vi. *Note: Case not heard by LUPC because it is at WLAPC tonight. WLAPC agenda recommending denial.*

c. WRAC Motion

- i. Presentation by Mike Newhouse.
 1. Explained reasoning for WRAC Motion
- ii. Staff, Karen Wolfe and Jory Trembly.
 1. Presented a staff report, highlighting a number of possible unintended consequences that may come as a result of this motion.
- iii. Public Comment:
 1. Dede Audet, unfavorable, unintended consequences are problematic
 2. Ivan Spiegel, unfavorable, too broad, small problem affects masses
 3. Challis Macpherson, historic background
 4. Others comments, similar.
- iv. See [Appendix A](#) below for details of Motion.
- v. Vote on Motion as presented.
 1. **Motion to recommend that the Neighborhood Council reject the WRAC Community Car Facility motion, due to the fact that numerous unintended consequences may exist in the proposed City Council ordinance for CCF.**
 - a. **Made by Karen Wolfe, Second by Jory Tremblay**
 - b. **6-1-2, Approved**
 - c. **Date: January 5, 2011**
 2. Primary issues were: multiple unintended consequences, 1000ft radius is restrictive and problematic, State laws already trump city law therefore not necessary, no examples of problems.

9. Administrative (Chair Updates):

10. Adjournment

- a. Next Meeting planned for TBC

Visit www.venicenc.org/lupc for supporting documents and information

"In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the LUPC members in advance of a meeting may be viewed at Venice Public Library, 501 Venice Blvd., at our website by clicking on the following link: www.VeniceNC.org/LUPC, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the LUPC Chair at Chair-LUPC@venicenc.org."

APPENDIX A:

Wrac Lupc Recommended Community Care Facilities Motion November 2010

COMMUNITY CARE FACILITIES WRAC LUPC MOTION

PROPOSED MOTION: The CPC-2009-800-CA; ENV-2009-801-ND „COMMUNITY CARE FACILITIES“ Ordinance for Community Care Facilities in low-density residential zones shall

(i) limit the concentration of facilities, (ii) restrict location near schools and other sensitive uses by 1,000 feet, (iii) require a public hearing for all applications directing that a public benefit must be demonstrated and/or where the applicant requests a reasonable accommodation, and (iv) provide an affirmative statement that no legal non-conforming use is created by the ordinance.

PURPOSE: to enable the Department of Building & Safety to enforce the City's zoning laws both with respect to transient homes of 7 or more individuals in low density residential zones and with respect to unlicensed facilities, serving less than 6 residents. And, it is intended to address gaps in the proposed ordinance including concentration—there is no reason why a low density residential area should have 4 large group homes on one block, for example. And it is intended to address the issue of proximity to sensitive receptors such as schools and churches.

BACKGROUND: Documented problems across the City include: very high occupancies, secondhand smoke, aggressive behavior, foul language, traffic/parking congestion, excessive noise, drug activity, and police activity.

When facilities are unregulated and unlicensed it is not viable under current laws to determine the number, operators, locations, or the quality of the facility. It is also impossible to verify approved public safety requirements such as fire safety, check the existence of legal building/occupancy permits, get on-site inspection, and generally determine compliance with basic health and safety standards.

Group parolee homes can currently operate unrestricted as a family in any single-family area without a conditional use process.

The Fair Housing Act protects persons with special needs, including recovering drug and alcohol addicts, from being discriminated against because they are classified as disabled by federal law.

California has laws and regulations to affirm the placement of disabled persons into single-family residential neighborhoods.

Lompoc adopted a regulatory scheme, upheld by the State Attorney General, which prohibits boarding/rooming houses in low-density residential zones. LA's zoning code has prohibited boarding houses in single-family and R2 zones for over 40 years and LA chose to model its Ordinance after the Lompoc approach.

The proposed ordinance, when bolstered with the WRAC LUPOC suggested language, will provide an effective enforcement apparatus to abate illegal transient uses by creating specific definitions between boarding/rooming houses, on the one hand, and family (as a "single housekeeping unit in one dwelling unit") on the other as well as keeping the granting of any requested group home-related public benefit open and transparent.

The proposed Ordinance does not prohibit community care/sober living in multi-family (R3 and above) or commercial zones.

The Ordinance does not regulate homes that are licensed and regulated by the State Dept. of Social Services such as housing for the physically disabled, elderly, etc.

Additionally, state licensed facilities serving Less than 6 Residents are not covered by the proposed Ordinance because they are mandated by state law in any zone that permits single-family homes.