



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)

Email: [info@VeniceNC.org](mailto:info@VeniceNC.org)



## **Board of Officers Meeting Agenda**

Westminster Elementary School (Auditorium)

1010 Abbot Kinney Blvd, Venice, 90291

Tuesday, January 18, 2011 at 7:00 PM

**BOARD MEETINGS:** The Venice Neighborhood Council holds its regular meetings on the third Tuesday of the month and may also call any additional required special meetings in accordance with its Bylaws and the Brown Act. All are welcome to attend.

**TRANSLATION Services:** Si requiere servicios de traducción, favor de notificar a la oficina 3 días de trabajo (72 horas) antes del evento. Si necesita asistencia con esta notificación, por favor llame a nuestra oficina 213.473.5391.

**POSTING:** The agenda and *non-exempt writings that are distributed to a majority or all of the board members in advance of regular and special meetings may be viewed* at Groundworks Coffee (671 Rose Ave.), Penmar Park (1341 Lake St), Beyond Baroque (681 Venice Blvd), the Venice Library (501 S. Venice Blvd), Oakwood Recreation Center (767 California St.), The Venice Ale House (425 Ocean Front Walk), and the VNC website (<http://www.venicenc.org>), or at the scheduled meeting. For a copy of any record related to an item on the agenda, please contact the VNC secretary at [secretary@venicenc.org](mailto:secretary@venicenc.org).

**PUBLIC COMMENT:** The public is requested to fill out a "Speaker Card" to address the Board on any Old or New Business item on the agenda and the Treasurer's Report. Comments from the public on these agenda items will be heard only when that item is being considered. Comments from the public on other agenda matters or on matters not appearing on the agenda but within the Board's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to two (2) minutes per speaker, unless modified by the presiding officer of the Board.

**DISABILITY POLICY:** The Venice Neighborhood Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Venice Neighborhood Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request.

### 1. **Call to Order and Roll Call**

in memory of Mary Christine Brockert, soul singer Teena Marie grew up in Oakwood, and attended Venice High and Paula Lucks

### 2. **Approval of the Agenda**

### 3. **Approval of Outstanding Board Minutes**

December 21, 2010 Draft Board Meeting Minutes

<http://venicenc.org/files/101221BoardMinutesDRAFT.pdf> (Draft)

### 4. **Announcements & Public Comment on items not on the Agenda**

[10 min, no more than 2 minutes per person – no board member announcements permitted]

### 5. **Treasurers Report;** Hugh Harrison (5 minutes)

[Discussion and approval of financial statements]

**See Exhibit A**

**A** Attached is the report on expenditures for the period November 22 through December 21, 2010.

### 6. **Community Care Facilities Ordinance;** Mike Newhouse on behalf of the Westside Regional Alliance of Councils (WRAC); (310 795 3768, [mnewhouse@newhouseseroussi.com](mailto:mnewhouse@newhouseseroussi.com)) **See Exhibit B** Reports and Recommendations from VNC Committees (**Neighborhood Committee voted Against the Motion: 6-0-0; LUPC Voted Against the Motion: 1-6-2**) **See Exhibit B1**

**MOTION:** to support The CPC-2009-800-CA; ENV-2009-801-ND; CF# 07-3427

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



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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.

## 7. LUPC Motions

[Discussion and possible action regarding the following matters]

- A 559 E Westminster Avenue (10 Minutes);** Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair-LUPC@VeniceNC.org](mailto:Chair-LUPC@VeniceNC.org)) **See Exhibit C**

**MOTION:** LUPC recommends approval of the project as presented (APCW-2009-3151-SPE-CDP-ZAA-ZAD-SPP-MEL, ENV-2009-3152-ND), 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, is therefore, a non-conforming use.

Made by Robert Aronson, Seconded by Jory Tremblay

LUPC VOTE: 5-0-2, Approved

Date: January 5, 2010

- B 796 Main Street, Ado Resturaunt (10 Minutes);** Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair LUPC@VeniceNC.org](mailto:Chair LUPC@VeniceNC.org)) **See Exhibit D**

**MOTION:** LUPC recommends approval of 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.

Made by Jake Kaufman, Seconded by John Reed.

Approved (5-0) [Jim Murez recused; lives within 500']

Date: January 5, 2011

## 8. Scheduled Announcements [no more than 1 minute per report unless otherwise stated]

### A VNC Announcements (5 min)

- **President:** Linda Lucks (310-505-4220; [president@venicenc.org](mailto:president@venicenc.org))  
**Celebration of Dede Audet's 90<sup>th</sup> Birthday**
- **Vice President:** Carolyn Rios (310-821-7922; [VP@venicenc.org](mailto:VP@venicenc.org))  
[Summary of Written Committee Reports when provided in advance]

#### 1) **Request for volunteer(s) to post monthly VNC Board Agendas( 1 minute);**

Linda Lucks, [president@venicenc.org](mailto:president@venicenc.org) request for monthly volunteer(s) to assist Stasia Patwell post VNC board agendas in the 5 (or more) locations.

#### 2) **Introduction of the 2011-2012 CIP Application (10 minutes);**

Ivan Spiegel ([parliamentarian@venicenc.org](mailto:parliamentarian@venicenc.org))

The applications for the 2011-2012 Community Improvement Projects are available on the VNC website [www.venicenc.org](http://www.venicenc.org), Venice Library, Vera Davis Center, and the VNC booth at the Venice Farmer's Market. They must be submitted on or before March 1, 2011.



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## 3) **Report on 2.1.11 Hearing on Marina Del Rey Local Coastal Plan (5 minutes)**

David Barish, WeAretheMarina [www.wearemdr.com](http://www.wearemdr.com)

**See Exhibit E**

### **B Governmental Reports (15 min)**

- **U.S. Representative Jane Harman**, Deputy Chief of Staff, Kate Anderson (310-643-3636; [kate.anderson@mail.house.gov](mailto:kate.anderson@mail.house.gov))
- **State Assemblyperson Betsy Butler**, representative TBD
- **Mayor Antonio Villaraigosa**; Jennifer Badger, West Area Representatives (310-479-3823; [jennifer.badger@lacity.org](mailto:jennifer.badger@lacity.org))
- **City Councilperson Bill Rosendahl**: Cecilia Castillo, Field Deputy (310-568-8772; [cecilia.castillo@lacity.org](mailto:cecilia.castillo@lacity.org)); Arturo Pina, District Director (
- **LAPD**: Officer Peggy Thusing, Senior Lead Officer (310-622-3968; [25120@lapd.lacity.org](mailto:25120@lapd.lacity.org))
- **Westside Regional Alliance of Councils**: Mike Newhouse (310-795-3768; [mnewhouse@newhouseseroussi.com](mailto:mnewhouse@newhouseseroussi.com)); Alternate, Carolyn Rios;
- **PlancheckLA**: VNC Rep Challis Macpherson (310-822-1729; [Challis.Macpherson@Verizon.net](mailto:Challis.Macpherson@Verizon.net))
- **LA Dept of Water & Power/Memoranda of Understanding**: VNC Rep DeDe Audet (310-251-1054; [daudet@ca.rr.com](mailto:daudet@ca.rr.com))
- **LAPD Police Advisory Board**- Nicolas Hippisley-Coxe, (310-415-415-6504; [hippisley@earthlink.net](mailto:hippisley@earthlink.net))
- **LAANC Representative**: Ivan Spiegel, [Ivan.Spiegel@venicenc.org](mailto:Ivan.Spiegel@venicenc.org)
- **Neighborhood Council Budget Representative**: Cindy Chambers, [cindy.chambers@venicenc.org](mailto:cindy.chambers@venicenc.org)

**C Westside Mobility Plan Presentation (15 Minutes)**; Maria Yanez-Forgash on behalf of City of Los Angeles Department of Transportation (LADOT) (909-627-2974, [Myanez-Forgash@ArellanoAssociates.com](mailto:Myanez-Forgash@ArellanoAssociates.com))

**D StandUp For Kids Los Angeles Community Introduction (5 Minutes)**; Aaron Guerrero on behalf of StandUp For Kids Los Angeles [www.standupforkids.org](http://www.standupforkids.org); (818-290-2715, [aaronmguerrero@gmail.com](mailto:aaronmguerrero@gmail.com))

We at StandUp For Kids Los Angeles would like to introduce ourselves to the attendees of the January 18th VNC meeting, and take a little time to explain who we are and what it is we do in the hopes of initiating a dialogue between us all that can hopefully lead to a collaborative effort to find humane and mutually beneficial solutions to the very justifiable and understandable issues the community has with the local homeless youth population. We would also like the opportunity simply to let the community know what resources we typically require in our mission, on the chance anyone is interested in assisting us in our mission.

**E Main Street Road Diet (15 Minutes)**; Paul Backstrom (213-473-7011, [paul.backstrom@lacity.org](mailto:paul.backstrom@lacity.org)) Main Street Road Diet to extend existing bike lanes from Santa Monica to Windward. Tina Backstrom and Abbas Vajar from LADOT will do the technical presentation and they will be joined by Alexis Lantz from the LA County Bicycle Coalition.

**F FAST- support short-term traffic improvement (10 Minutes)**; Evelyn Alexander on behalf of FAST (310-351-9309, [evelyn@jhu.edu](mailto:evelyn@jhu.edu))

**See Exhibit F**

Presentation by FAST (Fixing Angelenos Stuck in Traffic), a non-profit organization which has built a coalition of businesses, residents, students, labor and environmental activists to advocate for high-



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impact, low-cost changes to our infrastructure that would make traffic move more smoothly throughout the region.

## 9. **Announcements & Public Comment on items not on the Agenda**

[10 min, no more than **1 minute per person** – no board member announcements permitted]

## 10. **Old Business**

[Discussion and possible action regarding the following matters]

## 11. **New Business**

[Discussion and possible action regarding the following matters]

- A** **Extension of the South Bay Bicycle Path From Wash Blvd. to Jetty (10 Minutes)**; Jon Nahhas  
(310-306-4682, [jnahhas@gmail.com](mailto:jnahhas@gmail.com)) **See Exhibit G**

**MOTION:** The VNC shall endorse and request that the LA City Planning Department and Councilman Bill Rosendahl amend the LA City Bicycle Master Plan to include the extension of the Class 1 Southbay Bicycle Path from Washington Blvd. to the North Jetty of the harbor in Marina del Rey.

- B** **Restore and maintain OFW street lights consistent with original design (5 Minutes)**; Joel Shields  
(310-452-2043, [joel.shields@lw.com](mailto:joel.shields@lw.com)) **See Exhibit H**

**MOTION:** To direct appropriate city / county departments to restore and maintain street lights along Ocean Front Walk in a manner consistent with the original lighting design (low impact amber lights).

## 12. **Board Member Comments on subject matters within the VNC jurisdiction.**

[10 min, no more than 1 minute per person]

## 13. **Adjourn (approx 9:30PM)**

### **List of Venice Neighborhood Council Committees & Chairs – Volunteers Welcome**

**Administrative** – Linda Lucks

**Neighborhood** - Carolyn Rios

**Outreach** - Marc Saltzberg

**Budget** – Hugh Harrison

**Ocean Front Walk** - Ivonne Guzman

**Arts** - Clark McCutcheon, Daffodil Tyminski

**Education** - Peter Thottam

**Environment** - Kristopher Valentine, Joel Shapiro, Barbara Lonsdale

**Public Safety** - Nicolas Hippisley-Coxe

**Land Use and Planning** - Jake Kaufman

**Rules & Elections** - Ira Koslow

**Santa Monica Airport** - Laura Silagi & Amanda Seward

**Visitor Impact** – Amanda Seward



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## Exhibit A – Treasurers Report

### 2010 - 2011 Expenditures to Budget November 22 - December 21, 2010

DONE Category	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent Current Fiscal Year	Amt Available to Spend	% Budget Remain
Annual Allocation	\$45,000.00					
Rollover	\$5,000.00					
<b>Sub Unallocated Budget</b>	<b>\$50,000.00</b>					
Neighborhood Comm. Projects 10-11	20,000.00					
<b>Total</b>	<b>70,000.00</b>					

#### Budget

##### 100 Operations

Office Supplies	OFF	\$550.00		\$0.00	\$20.84	\$529.16	96%
Copies	OFF	\$400.00		\$0.00	\$103.28	\$296.72	74%
Office Equipment	OFF	\$750.00		\$0.00	\$105.33	\$644.67	86%
Staffing/Apple One	TAC	\$500.00		\$0.00	\$0.00	\$500.00	100%
Telephone Expense	MIS	\$0.00		\$0.00	\$0.00	\$0.00	100%
Storage	FAC	\$2,000.00		\$162.00	\$810.00	\$1,190.00	60%
Board Retreat	EDU	\$300.00		\$0.00	\$270.27	\$29.73	10%
General Operations	MIS	\$1,000.00		\$0.00	\$196.84	\$803.16	80%
<b>sub Total Operations</b>		<b>\$5,500.00</b>	<b>8%</b>	<b>\$162.00</b>	<b>\$1,506.56</b>	<b>\$3,993.44</b>	<b>73%</b>

##### 200 Outreach

Copies / Printing	POS	\$500.00		\$0.00	\$0.00	\$500.00	100%
Facilities For Public	FAC	\$3,000.00		\$0.00	\$0.00	\$3,000.00	100%
Refreshments	EVE	\$400.00		\$157.45	\$157.45	\$242.55	61%
Web Site & e-mail	WEB	\$5,100.00		\$30.00	\$280.35	\$4,819.65	95%
Advertising & Promotions	ADV	\$650.00		\$0.00	\$0.00	\$650.00	0%
Newsletter Production	NEW	\$800.00		\$0.00	\$0.00	\$800.00	100%
Newsletter Printing	NEW	\$3,800.00		\$1,904.00	\$1,904.00	\$1,896.00	50%
Newsletter Delivery	NEW	\$2,800.00		\$1,360.00	\$1,360.00	\$1,440.00	51%
Elections	ELE	\$450.00		\$0.00	\$0.00	\$450.00	100%
General Outreach	EVE	\$750.00		\$0.00	\$521.79	\$228.21	30%
<b>sub Total Outreach</b>		<b>\$18,250.00</b>	<b>26%</b>	<b>\$3,451.45</b>	<b>\$4,223.59</b>	<b>\$14,026.41</b>	<b>77%</b>

##### 300 Community Improvement

Venice Community BBQ	CIP	\$3,600.00		\$0.00	\$3,545.36	\$54.64	2%
Neighborhood Commun Proj 2010-11	CIP	\$20,000.00		\$0.00	\$5,589.00	\$14,411.00	72%
General Community Projects 2010-11	CIP	\$5,909.35		\$1,300.00	\$1,872.44	\$4,036.91	68%
Neighborhood Commun Proj 2011-12	CIP	\$16,000.00		\$0.00	\$0.00	\$16,000.00	100%
<b>sub Total Comm Improvement</b>		<b>\$45,509.35</b>	<b>66%</b>	<b>\$1,300.00</b>	<b>\$11,006.80</b>	<b>\$34,502.55</b>	<b>76%</b>
<b>Total</b>		<b>\$69,259.35</b>		<b>\$4,913.45</b>	<b>\$16,736.95</b>	<b>\$52,522.40</b>	<b>\$0.76</b>

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## Community Improvement Projects

	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent in Current Fiscal Year	Amt Available to Spend	% Budget Remain	
<b>Neighborhood Comm Projects</b>		<b>2009-2010</b>					
Coeur d'Alene Reading Courtyard	\$2,000.00		\$0.00	\$2,085.00	-\$85.00	-4%	
Master in the Chapel- Concerts	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%	
Westminster School- Printers	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%	
Boys and Girls Club- Sewing Project	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%	
Ballona Institute-Lagoon Restoration	\$1,026.00		\$0.00	\$0.00	\$1,026.00	100%	
Westside Leadership Magnet-Garden	\$1,996.00		\$0.00	\$0.00	\$1,996.00	100%	
Mark Twain-Garden	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%	
Venice Music Festival	\$2,000.00		\$0.00	\$2,000.00	\$0.00	0%	
Carnevale	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%	
826 LA-"The Venice Wave"	\$1,470.00		\$0.00	\$0.00	\$1,470.00	100%	
Vintage Motorcycle Rally	\$1,508.00		\$0.00	\$1,504.00	\$4.00	0%	
<b>Total General Comm Improvement</b>	<b>\$20,000.00</b>		<b>\$0.00</b>	<b>\$5,589.00</b>	<b>\$14,411.00</b>	<b>72%</b>	

	<b>2009-2010</b>					
<b>Total Available</b>	\$5,000.00				\$5,000.00	
Santa Monica Airport	\$850.00		\$0.00	\$72.44	\$777.56	91%
Metal at the Beach	\$1,000.00		\$0.00	\$500.00	\$500.00	50%

<b>Total Allocated</b>	<b>\$1,850.00</b>					
<b>Total To be Allocated</b>	<b>\$3,150.00</b>					
<b>Total Spent</b>			<b>\$0.00</b>	<b>\$572.44</b>	<b>\$4,427.56</b>	<b>89%</b>
<b>Expenditures Previous Reported Charged</b>						

Westminster Benches \$1,922.38 2/10



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U.S. BANCORP SERVICE CENTER  
P. O. Box 6343  
Fargo, ND 58125-6343

CITY OF LA - DONE

ACCOUNT NUMBER XXXX-XXXX-XXXX-1949

STATEMENT DATE 12-21-10

TOTAL ACTIVITY \$ 1,649.45



000001763 1 MB 0.382 106481880697065 P

HUGH HARRISON  
VENICE NC  
2808 GRAYSON AVE  
VENICE CA 90291-4648

"MEMO STATEMENT ONLY"  
DO NOT REMIT PAYMENT

NEW ACCOUNT ACTIVITY					
POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
11-23	11-21	8011 EXTRA SPACE STOR 310-301-7970 CA PUR ID: 32501005 TAX: 0.00	24323000326253325010058	4225	162.00
11-23	11-22	RALPHS #0281 VENICE CA PUR ID: TAX: 0.00	24445710326531020824346	5411	300.00
12-03	12-02	SMARTNFINAL33210303329 VENICE CA PUR ID: 080336622899554 TAX: 0.00	24164070336929090015470	5411	157.45
12-06	12-02	TOYS R US #5632 QPS CULVER CITY CA PUR ID: 32054654 TAX: 0.00	24246510337508320546540	5945	1,000.00
12-14	12-13	CONSTANT CONTACT 1 IWAGNER@CONST MA PUR ID: 4154228 TAX: 0.00	24733090347206967306093	5968	30.00

*EAC Storage*  
*CIP - Turkeys*  
*EVE Refreshments*  
*CIP - LAPD*  
*WEB*

Default Accounting Code:				
CUSTOMER SERVICE CALL  800-344-5696	ACCOUNT NUMBER XXXX-XXXX-XXXX-1949		ACCOUNT SUMMARY	
	STATEMENT DATE 12-21-10	DISPUTED AMOUNT \$ .00	PREVIOUS BALANCE \$ .00	
SEND BILLING INQUIRIES TO:  C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION ND P.O. BOX 6335 FARGO, ND 58125-6335	AMOUNT DUE \$ 0.00 <b>DO NOT REMIT</b>		PURCHASES & OTHER CHARGES \$1,649.45	
			CASH ADVANCES \$ .00	
			CASH ADVANCE FEE \$ .00	
			CREDITS \$ .00	
			TOTAL ACTIVITY \$1,649.45	



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## EXHIBIT B: WRAC COMMUNITY CARE FACILITIES 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.**





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## EXHIBIT B1: LUPC STAFF REPORT ON WRAC COMMUNITY CARE FACILITIES

LAND USE AND PLANNING COMMITTEE STAFF REPORT

January 5, 2011

**Case Number:** LA City Council File #07-3427

**Address of Project:** Venice-wide

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**SYNOPSIS:** This is an analysis of a proposed WRAC motion regarding the proposed LA City ordinance regulating Community Care Facilities. Council File #07-3427.

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**Venice Subarea:** N/A

**Zone:** N/A

**Date of Planning Report:** January 28, 2010, October 24, 2010

**Date of End of Appeal Period:** N/A

**City Planning Report Prepared by:**

Michael LoGrande, Chief Zoning Administrator

Alan Bell, AICP, Senior City Planner

Thoms Rothmann, City Planner, Code Studies

Cynthia Cuza, City Planning Associate, Code Studies

**LUPC Staff Report Prepared By:**

Jory Tremblay

Karen Wolfe

**Applicant:** N/A

**Address:** N/A

**Representative:** N/A

**Contact Information:** N/A

**Date(s) heard by LUPC:** None previous

**Zoning Administration Date:** N/A

**Applicant's Neighborhood Mtg:** N/A

**Planning Commission Dates:** January 28, 2010, October 24, 2010, November 4, 2010, February XX, 2011

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## BACKGROUND

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## History

October 2007, Councilmember Greig Smith responded to complaints about group homes, such as one containing 90 residents in his district, which includes Chatsworth and Granada Hills, by introducing citywide legislation to restrict them through Planning. The City Council passed a motion to instruct the Planning Department to investigate legislative action.

August 5, 2008 – Councilmember Bill Rosendahl wrote a letter supporting sober living homes, supporting a restriction on the concentration of them in single family neighborhoods and recommending the City work with the Los Angeles County Sober Living Coalition who effectively oversees some 2000 such homes in Southern California.

For two years, the City worked on drafting an ordinance regulating such homes through a change in zoning laws but was challenged because such homes are encouraged, through state and federal laws, as a means to integrate into society senior citizens, disabled adults, foster children, recovering addicts and parolees, and the residents of them are protected under federal and state laws. Specifically, such homes with fewer than 7 residents are legally viewed the same as any other household.

According to its staff report, the Planning Commission was forced to broaden the ordinance so that it would apply to any household in order to avoid discrimination against residents of group homes.

On October 14, 2010, the Planning Commission heard public testimony, continued the hearing until November 4, 2010 and again until February, 2011.

In November 2010, LUPC committee members Jory Tremblay and Karen Wolfe were assigned the task of analyzing the issue and making a recommendation to the VNC. Also in November, the Westside Regional Alliance of Councils introduced a motion to support Councilmember Smith's ordinance and to add language to the ordinance to further restrict these homes. The WRAC motion was voted down unanimously by the VNC Neighborhood Committee in December, 2010. It was submitted to VNC AdComm as an agenda item for the Board meeting last month, and the AdComm remanded it to LUPC.

## Reported Cases of Problems and Complaints in Venice

According to the Sober Living Network, an organization which oversees sober living homes, there are approximately 40 sober living homes in Venice. According to the Council Office, there has been one complaint regarding two group homes next to each other on Glencoe Avenue that were operating together and sharing a kitchen.

## COMMUNITY CARE FACILITIES WRAC LUPC 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.

## PROPOSED ORDINANCE

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*It's YOUR Venice - get involved!*



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(See attached Appendix A)

## CURRENT LEGISLATION AND ENFORCEMENT

- Currently, sober living homes are treated as any other homes. The buildings and grounds are subject to any and all laws and standards including those regarding Building & Safety, Health & Safety, etc. and the residents in them are subject to any and all laws that other people are.

Zoning of Community Care Facilities  
(Excerpts from the Health and Safety Code)

1566.3. Zoning preemption

“This section shall not be construed to forbid any city, county, or other local public entity from placing restrictions on building heights, setback, lot dimensions, or placement of signs of a residential facility which serves six or fewer persons as long as such restrictions are identical to those applied to other family dwellings of the same type in the same zone.

“This section shall not be construed to forbid the application to a residential care facility of any local ordinance which deals with health and safety, building standards, environmental impact standards, or any other matter within the jurisdiction of a local public entity if the ordinance does not distinguish residential care facilities which serve six or fewer persons from other family dwellings of the same type in the same zone; and if the ordinance does not distinguish residents of the residential care facilities from persons who reside in other family dwellings of the same type in the same zone.

“No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone.”

- Nuisance Abatement – The City Attorney has developed the Citywide Nuisance Abatement Program, a multi-agency task force composed of the City Attorney, Police Department, Building & Safety, Housing Department, and the Planning Department.
- 
- Local Non Profits that monitor and audit Sober Living Homes today.

Coalition for Sober Living/The Sober Living Network (~200 homes in Los Angeles, 600 in Southern California) The primary mission of the Sober Living Network is to promote the establishment, successful management and growth of high quality community-based recovery services.

California Association of Addiction Recovery Resources (CAARR) is a non-profit membership organization which provides guidelines and sets standards for recovery homes, sober living environments, neighborhood recovery centers and social detoxification programs.

## UNINTENDED CONSEQUENCES

Definition of a family – This ordinance redefines family so that two or more people living in a single family home with two or more lease agreements, written or oral, would be prohibited in low density zones because such a home would legally be considered a boarding house. This impacts students, elderly renters, low income renters,



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homeowners counting in rental income, etc. Additionally, one lease removes a common enforcement tool in Sober Living homes allowing one resident to be evicted without jeopardizing compliant residents.

Developmentally disabled – it is unclear if this would also cover and burden unlicensed group homes for the developmentally disabled.

Foster children – the current language regarding foster children is being struck. It is not clear what the consequences of this are.

Penal system – this would require any home housing more than one person under the direction of the State Correctional facility, i.e. someone on parole living in their own home would be required to seek and secure a Conditional Use permit to operate as a “Correctional Institution” adding additional burdens on the City as well as the resident.

Room Rentals, short term rentals Renting out a room would be prohibited if it necessitated a second agreement, written or oral.

Sober Living – opens the City up to legal challenges under various discrimination laws relative to ADA, the Fair Housing Act and the 1964 Civil Rights Act.

## CONCLUSION

While there is only one example in Venice of a nuisance stemming from a sober living home, there is strong support for providing protections to low density neighborhoods. Traditionally, zoning and planning ordinances are the mechanism for such protections. There is, however, concern that this ordinance, in an effort to avoid discrimination of protected people in zoning laws, broadens the application of restrictions so as to adversely impact a large number of residents and common lifestyles. Redefining “family” to preclude multiple leases in single family homes is one such example.

We recognize the cumbersome process of nuisance complaints and, although there is no evidence of any such failure in Venice, we recommend that the better avenue to addressing potential complaints is a streamlining of the nuisance abatement process. Further, we recommend DENIAL of the WRAC motion.

LUPC Report compiled by: Jory Tremblay and Karen Wolfe

Estimated number of hours of staff time: 40 hours

**LUPC MOTION: LUPC recommends that the Neighborhood Council reject the WRAC Community Care Facility motion, due to the fact that numerous unintended consequences may exist in the proposed City Council ordinance for Community Care Facilities.**

**Made by Karen Wolfe, Second by Jory Tremblay**

**LUPC VOTE: 6-1-2, Approved**

**Date: January 5, 2011**



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**Motion to reject WRAC CCF motion on community Care Facilities;** Carolyn Rios on behalf of Neighborhood Committee ([crlynrios@ca.rr.com](mailto:crlynrios@ca.rr.com))

**The Neighborhood Committee voted unanimously 6-0-0 against WRAC motion -**

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

VI. (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.



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## EXHIBIT C – 559 E Westminster Avenue LUPC Staff Report

### LAND USE AND PLANNING COMMITTEE STAFF REPORT

Submitted to LUPC Oct. 27, 2010

Case Numbers: APCW-2009-3151-SPE-CDP-ZAA-ZAD-SPP-MEL  
ENV-2009-3152-ND

Address of Project: 559 E Westminster Avenue, Los Angeles, CA 90291

Property Owners: Marie and Rochelle Branch

Owner's Representative: N/A

<b>ADDRESS:</b>	559 E Westminster Avenue
<b>CASE NUMBER:</b>	APCW-2009-3151-SPE-CDP-ZAA-ZAD-SPP-MEL, ENV-2009-3152-ND
<b>LUPC CASE MANAGER:</b>	Sarah Dennison
Motion to recommend approval of the project as presented (APCW-2009-3151-SPE-CDP-ZAA-ZAD-SPP-MEL, ENV-2009-3152-ND), 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.	
<b>MADE BY:</b>	Robert Aronson
<b>SECONDED:</b>	Jory Tremblay
<b>VOTE:</b>	5-0-2
<b>DATE APPROVED BY LUPC:</b>	January 5, 2010

### PROJECT SUMMARY TO VNC

This project is an application for legalization and continued use and maintenance of three (3) residential dwelling units on one 5200 SF (40' wide x 130' deep) lot in the Oakwood subarea of the VCZSP. Owners purchased property, a single lot with addresses 553 through 559, zoned R1.5-1, in 1998 with an existing SFD and 2 existing additional units in a second building on site. The second building consisted of a permitted (1928) 1BR/1Bath unit at the second level, and a permitted garage (1927) converted into 1BR/1Bath at ground level. No permit has been located for the garage conversion into a dwelling unit.

## LUPC STAFF REPORT

### SYNOPSIS:

**Request:** This application is the owners' request for adoption of the Negative Declaration, an SPE to permit legalized use of 3 dwelling units on the lot, a CDP to permit conversion of a 1-car garage into a dwelling unit, setback adjustments to allow a 0'-0" in lieu of a 4'-0" required setback at the westerly side yard of the rear building, a 0'-0" on lieu of a 15'-0" required setback at the rear of the rear building (alley), an adjustment to allow a 6'-3" in lieu of a 10'-0" passageway to the rear unit from the front street, a fence height determination to permit an 8'-0" high in lieu of a 3'-6" maximum required fence height in the front yard, and a review for Mello Act Compliance.

**History:** In 2004, after reviewing building permit history, an LA City inspection program Senior Inspector signed off on the 3 units, requiring only hardwired smoke detectors in the 3<sup>rd</sup> unit, which were installed. Another inspector reversed that decision in 2007 without further explanation. The applicant has spent considerable effort researching the City's legal permit history of the buildings on the site as far back as 1928 and has established the following:

1. Permit 23606, dated 1927, allowed construction of a "garage and private storage rooms (3)" within an 18' x 18' space.
2. Permit 649, dated 1-6-1928, allowed for "adding 3 rooms and bath over pr. garage".



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3. A 1930-31 County Directory also shows residents at both 559 and 559 1/2 Westminster. County records also document both an upstairs and downstairs unit at 559 1/4 Westminster: there is a mark for a bedroom on level one and level 2 associated with permit #649 in 1928. This is the current configuration at 559 1/2 Westminster. During a consultation with the City's Engineering department, the interpretation was that a bedroom was permitted in the downstairs unit, next to the garage.
4. Arthur Reese, Venice's first Afro-American resident lived in one of two units on the property in 1912.

**Size of Parcel:** 5204 sq. ft. **Size of Project:** 8171 sq. ft.  
**Assessed Land Value:** unknown  
**Last Owner Change:** 1998  
**Project Description:** Legalization of 3 residential units on an R1.5-1 lot in the Oakwood sub area of the VCZSP  
**Height Adjustment request:** (Text from Hearing Notice, LACP, for 1/10/2011)

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adopt** the Negative Declaration (ND) for the above referenced project.
2. Pursuant to Section 11.5.7 f of the Municipal Code, a **Specific Plan Exception** from section 10.G 2 a (2) of the Venice Coastal Zone Specific Plan (Ordinance 175,693) to permit three dwelling units on an approximately 5,204 square foot property classified in the RD1.5 zone instead of the maximum two dwellings otherwise permitted.
3. Pursuant to Section 12.20.2 of the Municipal Code, a **Coastal Development Permit** to permit the conversion of a one car garage into a third dwelling unit.
4. Pursuant to Section 12.28 of the Municipal Code, an **Adjustment** to area regulations as follows:
  - a. From 12.09.1 B.2 (a) to permit a zero foot side yard for the rear dwelling units in lieu of the minimum four foot side yard otherwise required.
  - b. From 12.09.1 B.3 to permit a zero foot rear yard for the rear dwelling units in lieu of the minimum 15 foot rear yard which is otherwise required.
  - c. From Section 12.21 C.2 to permit a 6-foot 3-inch passageway to the rear dwelling unit instead of the minimum 10-foot passageway otherwise required.
5. Pursuant to Section 12.24.X.7(a) a **Fence Height Determination** to permit a six- feet in height wooden fence within the front yard setback in lieu of the maximum 42 inches (3 1/2 feet) in height wall/fence that is otherwise permitted for properties classified in residential zones.
6. Pursuant to Section 11.5.7 of the Municipal Code, a **Project Permit Compliance** determination with the Venice Coastal Zone specific Plan.
7. Pursuant to Government Code Sections 65590 and 65590.1 a **Mello Act Compliance** review for projects in the Coastal Zone. (The Mello Act is a statewide law which requires local governments to comply with certain requirements designed to preserve and increase the supply of affordable housing in the Coastal Zone.)

**Venice Sub-Area:** Venice Coastal Zone – Oakwood  
**Zone:** RD1.5-1  
**Date of Planning Report:** TBA  
**Date of End of Appeal Period:** TBA  
**City Planning Report**  
**Prepared by:** Kevin Jones  
**LUPC Staff Report Done By:** Sarah Dennison  
**Owner/Applicant:** Marie and Rochelle Branch  
**Owner's Representative:** N/A  
**Contact Information:** (310) 804-4100  
**Date(s) heard by LUPC:** January 5, 2011  
**Advisory Agency Hearing Date:** January 10, 2011  
**Applicant's Neighborhood Mtg:** None  
 (500' radius)



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## **ARGUMENTS FOR THIS PROJECT:**

Mello Act: Applicant rents 2 rear units each for amounts below LA City maximum affordability levels.

Environmental: Negative Declaration determination has been received.

History: Permitting and construction of 3 units on property appear to predate VCZSP and Coastal Commission.

Setbacks: Setbacks for rear unit were established in 1927.

Parking: Parking requirements have been determined by applicant to be 4 spaces provided on site for this application as follows:

1. One for new legal 3<sup>rd</sup> unit (originally one-car garage)
2. Two spaces for permitted 2<sup>nd</sup> unit
3. One guest space
4. No spaces required for SFD built in 1906

Neighborhood Comments: Applicant reports that immediate neighbors have been informed about this application and support the legalization of 3 units.

## **ARGUMENTS AGAINST THIS PROJECT:**

VCZSP Required Parking: Current VCZSP requires 2 spaces per unit on lots 40' wide, plus an additional 0.25 guest space per unit (total  $3 \times 0.25 = 0.75$  or 1 additional guest space for 3 units). Total required spaces per VCZSP = 7 spaces.

Neighborhood Comments: LUPC staff member did not speak with neighbors.

Precedents: Concern should be expressed regarding the precedent this project sets for Venice neighborhoods absent a cohesive LUPC/VNC policy for dealing with garage conversions.

## **SYNOPSIS OF PUBLIC COMMENT:**

LUPC Report compiled by:

Sarah Dennison

Estimated number of hours of staff time:

17





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## EXHIBIT D - 796 Main Street, Ado Restaurant LUPC Staff Report

### LAND USE AND PLANNING COMMITTEE STAFF REPORT

Submitted to LUPC January 5, 2011

**Case Numbers:** ENV-2010-1186-CE and ZA-2010-1184-CUB  
**Address of Project:** 796 Main Street, Los Angeles, CA 90291  
**Project Name:** Ado Restaurant  
**Property Owners:** Max Trumpower  
**Owner's Representative:** Brett Engstrom

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#### LUPC MOTION:

**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.**

**Made by Jake Kaufman, Seconded by John Reed.**

**Approved (5-0) [Jim Murez recused; lives within 500']**

**Date of Motion: January 5, 2010**

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#### PROJECT SUMMARY TO VNC

This project was originally filed as a CUB review with an increase in seating (26 to 46, including outdoor seating), full line of alcohol and change of hours. The applicant has since revised their request for full-line of alcohol, no increase in seating, no outdoor seating; rather only renew the CUB (ZA-2004-0099-CUB) with change in hours.

Original/current hours are:

Operating 9am to 10:30pm Wednesday-Sunday; Cooking classes allowed on Mon.-Tues 6pm-8pm.

Alcohol 5:30pm-10:30pm Wed., Thurs, Sunday. 9am-10:30pm Friday and Saturday.

New proposed hours:

9a-12:30a Sunday through Thursday and 9a-1:30a Friday and Saturday.



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## LUPC STAFF REPORT

### SYNOPSIS:

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**Size of Parcel:** Approx. 1,664 sq.ft.  
**Size of Project:** 999 sq.ft.  
**Assessed Land Value:** Uncertain  
**Last Owner Change:** Uncertain  
**Zone:** C2-1  
**Date of Planning Report:** Not completed  
**Date of End of Appeal Period:** Not completed  
**LUPC Staff Report Done By:** Jake Kaufman  
**Owner/Applicant:** Brett Engstrom (representative)  
 Art Rodriguez and Associates  
 709 E. Colorado Blvd., Suite 200  
 Pasadena, CA 91101  
 (626)683-9777  
 (626)683-9991 fax  
**Date(s) heard by LUPC:** December 8, 2010 and January 5, 2011  
**Advisory Agency Hearing Date:** TBA  
**Applicant's Neighborhood Mtg:** July 1, 2010  
 (500' radius) Ado Restaurant

#### ARGUMENTS FOR THIS PROJECT:

The restaurant is a staple Venice restaurant, generally well-liked in the community; some may like to have more regular and wider range of hours of operation and to stay seated until a later hour. This is not a bar, it is a formal restaurant.

#### ARGUMENTS AGAINST THIS PROJECT:

Some may feel an increase in hours is not necessary and adds to late night business.

#### SYNOPSIS OF PUBLIC COMMENT:

9 people attended the public hearing July 1, 2010. General opinion was favorable, especially once the changes in seating (no increase) was made.

LUPC Report compiled by: Jake Kaufman  
 Estimated number of hours of staff time: 6



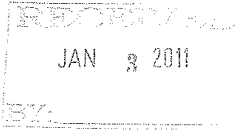
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## Exhibit E - Report on Marina Del Rey Local Coastal Plan



PUBLIC NOTICES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012



AD

### NOTICE OF PUBLIC HEARING CONCERNING

#### MARINA DEL REY LOCAL COASTAL PROGRAM PROJECT NUMBER R2009-02277-(4) AND ADVANCED PLANNING CASE NO. 200900014-(4)

Notice is hereby given that the Board of Supervisors will conduct a public hearing concerning this land use proposal on **Tuesday, February 1, 2011 at 9:30 a.m.**, in Room 381B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

#### General description of proposal:

The major amendment to the Marina del Rey Local Coastal Program will re-designate the land use categories of several parcels, provide enhancements to open space, adopt policies to address sensitive biological resources, update the circulation plan and combine development zones.

#### General description of location of property:

The Marina del Rey Local Coastal Program covers all landside parcels in the Marina del Rey small craft harbor located in the unincorporated community of Marina del Rey, in the Playa del Rey Zoned District of Los Angeles County.

Additional information concerning this case may be obtained by telephoning Michael Tripp at (213) 974-6418 between 7:30 a.m. and 5:30 p.m., Monday through Thursday. Regional Planning Offices are closed on Fridays. Callers from North County areas may dial (661) 272-0964 (Antelope Valley) or (661) 253-0111 (Santa Clarita) toll free and then request a connection to (213) 974-6435.

SACHI A. HAMAI  
EXECUTIVE OFFICER OF THE  
BOARD OF SUPERVISORS



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## Exhibit F – FAST

### About FAST:

FAST is a non-profit organization dedicated to designing and supporting the implementation of short-term strategies to reduce traffic congestion in Los Angeles by optimizing current transit infrastructure and facilitating use of public transit. FAST has developed a coalition business owners, workers, faculty, students and residents of Los Angeles County.

In 2008, FAST partnered with Metro and the Music Center to commission a study by the RAND Corporation. RAND came up with 13 high-impact, low-cost changes that we can implement immediately to make traffic move more smoothly throughout the County. The 13 recommendations can be found here: <http://fastla.org/solutions/randrecs>.

FAST's mission is to:

1. Educate residents and employers about the cost of traffic and the mobility benefits attainable through RAND's recommendations;
2. Build an active coalition committed to solving LA traffic by making our roadway network more efficient, reducing car trips by using transit alternatives, and supporting traffic reduction projects;
3. Create high-impact mobility improvements by encouraging elected officials and transit agencies to invest Measure R's "Local Return," state and federal funds toward implementing RAND's traffic solutions.

FAST is clearly aligned with the VNC's Walkability Goals. FAST is focused not only on traffic fixes, but also on making public transit more user-friendly, as well as strategies which make drivers think about the true cost of their entire trip, including parking. Additionally, our support for Traffic Demand Management (TDM) systems in employment centers includes shuttle systems and alternates to "one person per car" transport.

## EXHIBIT G - The Last Mile

Dear President Lucks and Council Members,

On behalf of a large contingency of bicycle enthusiasts, I am asking for your consideration & assistance in the modification of the LA City Bicycle Plan – particularly “*The Last Mile*” of the Santa Monica – Marina del Rey portion of the Southbay Bicycle Path. As you may know, this bike path extends 22 miles from Pacific Palisades to Redondo Beach. The northern portion adjacent to the Venice area extends 8.5 miles and empties out onto Washington Blvd at the Venice Pier. Washington Blvd. has become more and more impacted with traffic while bike & pedestrian accidents are steadily increasing at the entrance to the Pier.

The Southbay Bicycle Path is mostly a Class 1 path. At Washington Blvd. it becomes a Class II with traffic lanes that are nothing more than highway gutters with markings that give cyclists a false sense of security. Cyclists are needlessly placed into harm’s way on this heavily traveled street and must watch out for all the drivers who may open their car doors without looking or innocently veer off of the road. Our vision is to increase access with bike paths that are paved, pleasant, safe (mostly) that everyone can enjoy. (We hope you agree).





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## Exhibit H - OFW Lights Letter

In recent weeks, the replacement lights installed along Ocean Front Walk have been inconsistent and incompatible with the original, low impact amber lights. The replacement lights are bright-white and create or contribute to unnecessary light pollution along the boardwalk, beach, coastline and skyline. The recently installed replacement lights are more suitable to a K-Mart parking lot or parking garage and are not appropriate for the boardwalk. An example of inappropriate lighting may be found (after dark) at 701 Ocean Front Walk. The original amber colored lights provide ample lighting for nighttime pedestrians and community safety.

Please replace the bright white lights with the traditional amber lights. Thank you.