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**ENCINO NEIGHBORHOOD COUNCIL  
 PLANNING AND LAND USE (PLU) COMMITTEE MEETING**

**Date: TUESDAY, October 10, 2017 Time: 7:00PM**

**Location: Encino Community Center  
 4935 Balboa Blvd, Encino, CA 91316**

Residents and Stakeholders are invited to hear presentations from the presenters listed in the action items, below. These items may affect your neighborhood. These developers, projects or presenters are seeking advisory comment from the Encino Neighborhood Council. You may speak and provide oral or written comments for the record on the impacts this project will have on you or your neighbors.

MEMBERS OF THE PUBLIC WHO WISH TO ASK A QUESTION OR SPEAK UNDER PUBLIC COMMENTS ARE REQUESTED TO FILL OUT A SPEAKER CARD AND PROVIDE IT TO THE CHAIR. Any personal information can be released pursuant to the CA Public Records Act.

MOTION(S), DISCUSSION(S), AND A VOTE MAY BE TAKEN ON ALL ITEMS POSTED ON THE AGENDA At the discretion of the Chair this agenda may be modified as to time slots for agenda items or speakers to accommodate changes at that time

**COMMITTEE MEMBERS ON THE ENC BOARD:** ELIOT COHEN\* (CHAIR), HENRY ESHELMAN\*, CAROL LEVIN\*, SCOTT LINDEN\* DR. GERALD (GERRY) SILVER PH. D

**STAKEHOLDER COMMITTEE MEMBERS:** AL MASS, DIANA MENZER, JO-DEE BECKER and GREG ZEISLER, MPH

**ALTERNATE COMMITTEE MEMBER(S):** SHELLEY BILLIK\*\*, LEE BLUMENFIELD\*

\*indicates ENC Board Member, \*\*indicates ENC Alternate Member

No more than five (5) ENC Board Members or Alternate Members may be seated at the same time during this meeting

**MOTIONS, DISCUSSIONS, AND A VOTE MAY BE TAKEN ON ALL ITEMS POSTED ON THE AGENDA**

- 1. Call to Order, Roll Call, Excused Absences, Determination of a Quorum, Sign-in Sheet, Public Speaker Cards, Code of Civility, Etc.**
- 2. Approval of minutes from JUNE 13, 2017 meeting.**
- 3. Action Items:**



### 3-A: Discussion and Possible Action regarding proposed Permanent Supportive Housing (PSH) Ordinance CPC-2017-3136-CA

<https://planning.lacity.org/ordinances/docs/PermanentSupportiveHousing/Ordinance.pdf>

<https://www.lamayor.org/comprehensive-homelessness-strategy>

- **Background Information:**

Homelessness is an epidemic and a human tragedy, it is a grave issue affecting the City of Los Angeles. Even if the City could spend 100% of the city's budget on programs devoted to solving the issue, it would not be enough. Given that cities who have programs aimed at helping the homelessness, studies have found that this attracts more homeless from other communities. Establishing such programs will ultimately see an ever-increasing demand for these services. Therefore, there is no possibility of spending our way out of the current Homelessness problem. Given that the proposed Permanent Supportive Housing (PSH) program that does not have checks, balances, or limits it becomes a budget busting program for the City and will cause short falls in other essential services. **The City of Los Angeles has a Deficit of \$250,000,000 and \$20 Billion Pension Short Fall<sup>1</sup>.** The proposed PSH program is unsustainable, illogical and operationally deficient. **The PSH makes a mockery of existing zoning and specific plans, for the benefit of the Homeless and to the detriment of Taxpayers.** Additionally, the rush to implement this program is undemocratic and gives no time for stakeholders to give valuable input into this process. While the City of Los Angeles should be complemented at trying to make it profitable to build very low or no income housing, **we ask at what expense to us, the Homeowners and Taxpayers of the City? It also risks creating a permanent underclass. If a Homeless person gets all their needs taken care of for free why should they work?**

- **The ENC makes the following findings:**

- Regarding the Public Announcement Hearing for Permanent Supportive Housing Ordinance CPC-2017-3136-CA Although The ENC supports the effort to assist those in need of Permanent Supportive housing, The Encino Neighborhood Council Planning and Land Use Committee Insists strongly that the following changes to the Ordinance amending Sections 12.03, 12.04.09, and 16.05 of the Los Angeles Municipal Code establishing regulations to facilitate the production of Permanent Supportive Housing be implemented:

- **General Comments, rationale and Concerns:**

1. All projects proposed and all zoning changes or "relief" or restrictions thereof be placed under a moratorium in Encino until the Encino – Tarzana Plan which is currently being revised, is adopted and approved.
  - A. Not allowing changes to the PSH plan will lead to unintended consequences which will not be easily rectified, or at all corrected.
  - B. Applying any such a radical change city wide without first having a targeted test sample, is contrary to good business practices and prudent planning.

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<sup>1</sup> <http://citywatchla.com/index.php/la-watchdog/12732-the-city-deficit-approaches-250-million-how-can-la-s-mayor-get-anything-short-of-a-failing-grade> and <http://www.lacontroller.org/cafr2016>



- C. Selective renaming of wording such as “conditional use” to “relief from Zoning” removes impartiality from government and expresses an agenda. A more accurate description would be “override from zoning requirements.”
- D. Terminology that obscures the situation implies that the system is rigged and a continual belief that “back door” meetings are being had without the general public’s knowledge.

**2: The PSH plan overrides or gives “relief” of requirements for zoning, parking, free space, etc. this effectively negates all the time and money spent on both Community and Specific Plans. Why bother to have them?**

- A. Overriding or upscaling of tiers must only be based on current on the ground conditions. Only projects that are completed should be considered for a basis of relief. Too many times items promised fail short.
- B. Comprehensive studies such as EIRs, area and regional traffic studies, infrastructure service capacities such as sewer/water, and available schooling with corresponding funding need to be completed anytime an over-scaling or an override in existing zoning is requested.
- C. Ear marked funds from development (Quimby Fees) must stay and be used in the immediate locality affected by upscaling, not distributed elsewhere, as well as spent in a timely effective manner. These funds are earmarked to help the quality of life in a local area and should not be comingled or diverted for any other purpose such as going into the General Fund

**3: Any PSH must present and obtain approval from the City Council District and the local Neighborhood Council. Without approval by the people who understand their Neighborhoods best chaos, over dense developments, will overwhelm the existing infrastructure.**

- A. Free reign of projects will lead to specific plans failures due to uncontrolled growth, dysfunctional and imbalanced neighborhoods not meeting the needs of local population i.e. not enough schools, public facilities, access to jobs, police coverage, etc.

**4: The city planning department should immediately drop PSH as it unaffordable and will crush the existing infrastructure and create a cultural divide that will ruin existing neighborhoods. It may even cause many neighborhoods to entertain succession movement to leave the City for a chance at self-rule. If the City Planning Dept. insists on moving forward with PSH it must designate specific zones or areas no greater than 1 mile in diameter nor closer to another specific.**

- A. Focusing the needed population in an easily reachable area allows city programs to get the “biggest bang for its buck.” Making social workers spend a majority of their time driving from one location to another decreases their



time available to be spent with the targeted population. The close proximity of PSH housing, i.e. walkability of the targeted population is a key factor to them obtaining services and ending their dependence on handouts. Having service centers even a 20-minute bus ride away diminishes attendance and increases cost to the city needlessly; monies that can be better spent on more housing or counselors

5: Creation of Enforcement Mechanism:

1. Define clearly disqualifications and immediately removal from program for undesirable actions committed by the target demographic, ie felonies, unruly behavior, drug use
2. Screening of candidates upon entry into a PSH community and continuous random welfare checks with appropriate funding mechanisms such as drug testing, driver pull program, background checks, etc
3. Develop and ensure adherence to programs that promote a “step up” not a “hand out” of poverty. Failure of enrollment or following of these programs results in immediate forfeiture of benefits. All programs are to be administered by registered and competent professional person in the respective fields
4. Applicants or residence who violate conditions be barred from the program for a period of no less than 3 year,

• **Specific Comments and Concerns About Supportive Housing:**

**A.**

1. time limit – A time limit be imposed of no greater than 3 years for temporary disabilities
2. Define in detail disabilities and durations to ensure accuracy and prevention of those calling items disabilities that are not disabilities
3. Define Low income in a way that adjusts with current economic times – i.e. 25,000 single income with a percent increase for inflation
4. Define Families and maximum occupancy per unit via sq ft or bedrooms – creating a situation of large families in a one bedroom is unacceptable, particularly for children
5. Create a defined hierarchy of individuals with veterans and children receiving the highest priority, and non-citizens with the lowest
6. Define PSH as PRIVELEDGE NOT A RIGHT!

**B.**

1. Qualified Supportive Housing only qualifies on zones RD2+ and forbid Accessory Dwelling Units (ADUs) from qualifying
  - **Section 2 Sub 11 c 4**
    - (i) **Radius notification of no less than 1000’ by certified mail on proposed project.**
    - (ii) **and notification and case presentation in front of the affected NC**
  - **Section 2 Sub 11 d 1**
    - (1) **no dwelling of zoning less than zones RD2+ and forbid Accessories Dwelling Units from qualifying**
    - (2) **Parking shall be provided off street at a ratio no less than 2 parking spots per unit. Plus, an adequate number of handicap stalls – restricting movement or the possibility of getting out of the housing projects is unacceptable.**



**(3) Parking ratio can be reduced to 1 and ½ parking space per unit by the support of the NC and disabled access to light rail within ½ a city block**

▪ **Section 2 Sub 11 E**

**Concession Granting:**

- I) Concession shall only be given with the approval of the local NC.
- II) Concession cannot interfere with existing residence right to enjoy their property as purchased; privacy concerns of existing residence is due cause for rejection
- III) % increases can be adjusted higher only with the approval of the NC in lieu of the 3 concessions or incentives

▪ **Section 2 Sub 11 G**

(10) Views such as oceans, lakes, parks, mountains etc, shall be protected against buildings eclipsing facades

▪ **Section 12.04.09**

**Section 4:** No qualified Permanent Supportive Housing Project will be developed containing no more than 120 units and must not be out of character with the adjacent legally conforming structures. 200 units or less is acceptable if it is located in the greater downtown housing incentive area only.

▪ **Section 12.04.09**

**If there are 2 Zones within a 1300-foot radius of a PSH project the Planning Dept. must use the lower density zoning for the new proposed property. Additionally Planning Dept. should not include legal non-conforming uses.**

**Motion: The ENC urges the Dept. of Planning and City Council not to adopt Permanent Supportive Housing Ordinance CPC-2017-3136-CA. An immediate moratorium should be instituted until the Planning Community finalizes the specific Community Plans for their neighborhood. If the PSH must be adopted it must adhere to these stringent requirements outline above.**

**3-B: Presentation, Discussion, and Possible action regarding proposed updates to the Ventura-Cahuenga Corridor Specific Plan**

**(<http://cityplanning.lacity.org/complan/specplan/pdf/VENTURA.PDF>)**

Presentation by Gerry Silver available at (<http://www.encinonc.org/docs/34483139-5033.pdf>)

The LA Planning Dept. Policy Division is working on all overlay districts, including the Ventura-Cahuenga Boulevard Corridor Specific Plan along with the Community Plan Updates.

On September 19, 2017, the Los Angeles City Council's Planning & Land-Use Management (PLUM) Committee passed the Motion [Council File 17-1071] below that reads in part:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=17-1071>

"It is important that any revision of the Specific Plan be done in coordination with the overdue and necessary updates to the Community Plans that serve this area, and that a robust public participation element be crafted to make this effort open and community-oriented."

"I THEREFORE MOVE that the City Council instruct the Department of City Planning, with the



assistance of the Department of Transportation, City Administrative Officer (CAO), and the Chief Legislative Analyst (CLA), to prepare a report in 60 days that identifies options for amending, supplementing, overlaying by neighborhood, or revising the Ventura-Cahuenga Boulevard Corridor Specific Plan, including information on the costs, staffing needs, and timeline for each option as well as the identification of funding sources to meet those options.”

“I FURTHER MOVE that the City Council instruct the Department of City Planning, with assistance from the Department of Neighborhood Empowerment, to report back on options for creating a robust public participation process that will allow each of the six neighborhoods within it to robustly contribute on an continual basis throughout.”

- **SUPPORT FOR SPECIFIC PLAN REVISION (CF-17-1071)**

**MOTION:** “The Encino NC PLU Committee believes that the Encino NC should have early on “robust public participation” and involvement in the updating and revision of the Specific Plan revision process. Given the increasing density, congestion and traffic on Ventura Blvd., the Encino NC PLU committee urges the LA Planning Dept. to give major consideration to the following recommendations when revising the Ventura-Cahuenga Boulevard Corridor Specific Plan:

- i. No additional residential units, such as condos, or apartments be permitted on Ventura Blvd.**
- ii. No mixed-use projects should be permitted, and no mixed-use density bonuses be allowed.**
- iii. New signage rules must be put in place to prevent sign “modernizations”, including digital billboards.**
- iv. Maximum allowable build-out should be reduced, until traffic problems are resolved.**
- v. Project Impact Assessment (PIA) fees should be adjusted upwards to generate needed funds for street improvements.**
- vi. Planned street and intersection improvements must be implemented before any new construction is permitted.**
- vii. New uses along Ventura Blvd. should primarily serve local residents, not add more residents.**
- viii. Building height and bulk should be reduced and building setback requirements increased.**
- ix. Exceptions, variances or other deviations from the Plan should not be permitted.**
- x. No more density bonus incentives for new development should be issued**
- xi. Honest, reliable and complete traffic studies must be conducted before any new project is approved.**
- xii. Shared parking arrangements should not be permitted.”**

### **3-C. Further Discussion, and Possible action regarding proposed updates to the Ventura-Cahuenga Corridor Specific Plan SUPPORT FOR INTERIM CONTROL ORDINANCE (ICO) (CF-17-1071)**

- **The case for a new Interim Control Ordinance (ICO) “Moratorium” on new construction over 45 feet in the Ventura Blvd. Specific Plan**

The massive over-development that took place along Ventura Blvd, in the late 1980’s and the six-story Fujita building at 15813 Ventura Blvd., Encino caused an outcry that resulted in a two-year “moratorium” -- Interim Control Ordinance (ICO) on new construction over 45 feet on Ventura Blvd., and ultimately to the Ventura Blvd. Specific Plan in 1991

Given the prospect of a rush beat a revision of the Ventura-Cahuenga Boulevard Corridor Specific Plan, there is the propensity for developers to take unfair advantage of the planning process. The Encino NC PLU committee urges the LA Planning Dept. to give major consideration to implementing an immediate Interim Control Ordinance (ICO) to limit over-scale projects



during the period of revising the Ventura-Cahuenga Boulevard Corridor Specific Plan.

**MOTION: The Encino NC PLU committee urges the LA Planning Dept. to implement an immediate Interim Control Ordinance (ICO) modeled after the May 2, 1985 Interim Control Ordinance ICO below:**

**“The Planning Department be instructed, in cooperation with the City Attorney and the Department of Transportation, to prepare immediately an interim control moratorium ordinance for these areas, pending such studies and reports to Council on other City actions and initiation and completion of any such actions required by the Council pursuant to such study and report, substantially in conformance with the following: to limit the issuance of building permits to commercial projects meeting all of the following criteria: projects (a) of three or fewer stories; (b) having a F.A.R. of 1.5 to 1 (or less); and (c) for which the number of parking spaces provided is equivalent to one space per 300 square feet of gross floor area. Such interim control ordinance should also include a mechanism to allow building permit issuance for projects in excess of the above criteria but which will assure mitigation. Such mechanism shall include a discretionary review for each development plan to determine whether transportation mitigation methods, such as free parking for customers, clients and employees, and intensity reductions on individual projects, are provided. Said interim control ordinance shall be effective for any project for which a Building permit has not been issued prior to ~~May 22, 1985~~, XXXXXX, 2017 for a period of 365 days or until ~~the District Plans and~~ the Specific Plans have been appropriately amended or adopted to incorporate the recommendations of a joint study by the Departments of Planning and Transportation, whichever occurs first, and should be extendible by resolution of the City Council for up to two 180-day periods.**

Presented by

MARVIN BRAUDE \_\_\_\_\_ Seconded by JOEL WACHS

MOTION BY: GERRY SILVER      SECONDED BY \_\_\_\_\_

- 3-D: (RECONSIDERATION) - Planning Appeal Fees:** A huge increase in Planning Appeals Fee’s is being proposed by Richard Llewellyn, Eric Garcetti’s Mayoral Office attorney, who is currently serving as "Interim CAO. The current fee of \$89.00 which allows residents and activist groups to file an appeal may under the current proposal be raised a whopping 15,000% to \$13538.00 according to the LA Times (<http://www.latimes.com/local/lanow/la-me-ln-fee-hike-20170829-story.html>).

**Proposed Motion:** The Encino PLU Committee opposes such a fee increase as it would freeze out appeals except from the wealthiest individuals and groups and give developers a big gift of silencing their opposition.

#### **4: Public Comment for Items not on this Agenda within the ENC’s Jurisdiction**

#### **5: Board Comment**

#### **6: Adjournment (9:00PM)**



The Encino Neighborhood Council (ENC), is a Certified Neighborhood Council of the City of Los Angeles which ADVISES City, other Governmental Officials' and the Community on issues or concerns that are affecting the community of ENCINO. The ENC is made up of volunteers who are ELECTED by the community who live, work or otherwise are involved in the community of ENCINO. The ENC also makes appropriations of City Funds for Community Projects and needs as requested and approved by various committees and the general board.

**PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS** – The public is requested to fill out a “Speaker Card” to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board’s jurisdiction will be heard during the General Public Comment period.

Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 2 minutes per speaker per item, unless adjusted by the presiding officer of the Board or Committee.

**PUBLIC POSTING OF AGENDAS** - ENC agendas are posted for public review as follows: Glass case outside the Encino Chamber of Commerce office at 4933 Balboa Blvd, Encino, Encino-Tarzana Branch Library, and Encino Community Center [www.encinonc.org](http://www.encinonc.org) You can also receive our agendas via email by subscribing to L.A. City’s Early Notification System <http://www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.htm>

**THE AMERICAN WITH DISABILITIES ACT** - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting Debra George, Board President, at (818) 971-6996 or email via [enc@socal.rr.com](mailto:enc@socal.rr.com)

**PUBLIC ACCESS OF RECORDS** – In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at our website: [encinonc.org](http://encinonc.org) 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 Debra George, Board President, at (818) 971-6996 or email via [enc@socal.rr.com](mailto:enc@socal.rr.com).

**RECONSIDERATION AND GRIEVANCE PROCESS**

For information on the ENC’s process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the ENC Bylaws. The Bylaws are available at our Board Meetings and our website <http://www.encinonc.org/bylaws.ph>

**SERVICIOS DE TRADUCCION** Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte a Debra George, Presidente de la Mesa Directiva, al (818) 971-6996 o por correo electrónico [enc@socal.rr.com](mailto:enc@socal.rr.com) para avisar al Concejo Vecina

