

WLASNC Board FY 2020-2021

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Planning Dept.
Housing and Community Investment Dept.
Office of the Mayor

Re: Request for Amendments to SB330

To the City,

At the Nov. 17, 2021, meeting of the West Los Angeles Sawtelle N.C., the Board of Directors voted 8-0-2, to request that the City, through the Council's Government Affairs Committee, include in its Sacramento legislative priorities the following request for revisions to SB 330, and implement local regulations in conformance with such revisions, if enacted, as follows, and authorize the Chair to submit Community Impact Statements in the future.

1. When RSO units are demolished and replaced pursuant to the provisions and protections in SB330, any units that must be provided pursuant to a density bonus under SB1818 or SB1222A shall be additive to those numbers of replacement units that are required pursuant to SB330 (instead of "inclusive").
2. All replacement units shall be of comparable size and configuration (i.e. they shall have the same number of bedrooms and at least the same square footage).

Facts and background:

1. Cities are required to replace demolished RSO units 1 for 1. Los Angeles allows these replacement units to also "count" in awarding density bonuses. This motion would require developers to replace all RSO units in full with affordable units, and then require additional units to cover the SB1818 requirement to receive incentives (to prevent double counting).
2. In some projects, replacement units for demolished 2-bedroom units may be small studios or 1-bedroom units. That smaller replacement unit is too small for the family that was evicted, so they cannot return to the new project (which the law allows).
3. This is a citywide issue because all Council Districts have medium- and high-density zones (RD1.5, R3, R4, R5) in which older, smaller apartments are demolished (pre-1978 construction that triggers RSO/Ellis Act), and the TOC / SB1818 density bonus program is used in many of the redevelopments for these sites (if not most of them).
4. The City may have the option to mandate additive units, and the City Attorney opined that the units could double count (is this correct/accurate?)
5. The intent of the ordinance is to create more affordable housing, but it fails to do that by allowing new developments to only replace RSO units on a 1 to 1 basis with no additional affordable units.

6. HCID may not mandate replacements of RSO units that are below 1 to 1, though it has in recent years.
7. The Senate changed the bill at the last minute to allow RSO replacement units to also count (i.e. double count) for density bonus and TOC units.
8. Stacy Shure (past MVCC Vice Chair and representative to WRAC) has contacted local state legislators, including Sen. Kamlager and Rep. Isaacs, and requested that they propose legislation to amend SB 330.
9. The City's action to make this a Sacramento legislative priority would be an important factor in convincing legislators to revise the bill as requested.
10. The issue is of concern to other cities in the State. Two San Francisco supervisors have voiced similar concerns.
11. Link: SB 330:
https://leginfo.ca.gov/faces/billVotesClient.xhtml?bill_id=201920200SB330

Findings and justifications:

1. RSO replacement units must be built automatically for regular new buildings that provide no affordable housing. If a developer then wants to get incentives for a bigger building, he should provide additional units as a trade-off with the city to get those incentives.
2. SB 330 requires that replacement units be “complementary” in size to those units to be demolished, i.e. a new 2-bedroom unit shall replace a demolished 2-bedroom unit (a family that lives in a low-cost 2-bedroom unit cannot live in a smaller 1-bedroom unit).

Ex parte communications: None disclosed by any committee members.

Disclosures and conflicts of interest: None disclosed by any committee members.

To government agencies: Only the Chair and designated Boardmembers may testify to public agencies on behalf of the West L.A. Sawtelle NC. The Board requests that the Council Office and private/non-profit entities do not testify or speculate on behalf of the NC.

/s/ Jamie L. Keeton

Jamie L. Keeton, Chair WLASNC

cc: Len Nguyen, Council District #11 (Len.Nguyen@LACity.org)