

WESTWOOD NEIGHBORHOOD COUNCIL

March 9, 2016

Agenda Item #6I

WRAC MOTIONS

1. Support for the Los Angeles Homeless Veterans Leasing Act of 2015

Motion

The Westwood Neighborhood/Community Council supports the Los Angeles Homeless Veterans Leasing Act of 2015 (Feinstein / S. 2013 and Lieu / H.R. 3484), to place permanent supportive housing on the Department of Veterans Affairs Greater Los Angeles Campus in West LA.

2. Support the draft master plan for the Dept. of Veterans Affairs WLA campus

Motion

The Westwood Neighborhood Council supports the draft master plan for the Dept. of Veterans Affairs West LA campus.

3. Enforcement of all zoning and building codes

Motion

Whereas the Los Angeles City Attorney; the Los Angeles Department of Building and Safety; and the Los Angeles City Council continue to selectively enforce existing zoning ordinances to the detriment of our stakeholders quality of life including, but not limited to, short term rentals, illegal signs, illegal boarding houses and the like

Therefore the member councils of WRAC demand the city comply with its own ordinances and laws and immediately enforce all applicable zoning and building codes unless duly amended.

4. Amendment to the Small Lot Subdivision Ordinance

Motion

The Westwood Neighborhood Council supports amending the Small Lot Subdivision Ordinance such that all SLS projects shall comply with the land's underlying zone, including setbacks, and further amended to prohibit cantilevered construction over required open space, including driveways and required setbacks.

5. Recommendation to Modify NC Community Stakeholder Definition

Motion

To recommend to the Board of Neighborhood Commissioners and the Los Angeles City Council that the City administrative code be amended to define Neighborhood Council stakeholders as such:

Stakeholders shall be defined as those who live, work, or own real property within the Neighborhood Council boundaries. With the approval of the Department of Neighborhood Empowerment, Neighborhood Councils may—and are encouraged to—expand this definition within their bylaws to include other defined groups of stakeholders.

6. Short Term Rentals (LAANC)

Motion

Whereas, it is now clear that short term rentals are illegal in Los Angeles' residential neighborhoods, and Whereas the City Attorney has consistently refused to prosecute short-term rental violations in the City of Los Angeles, for a variety of reasons,

Now, therefore, be it resolved, that WRAC urge City Attorney Mike Feuer to enforce the law as required by the Charter, and immediately prosecute short-term rental zoning violations in the City of Los Angeles.

WRAC demands that if after 60 days of this notice, Mr. Feuer does not start enforcement, City Council take action to hire a private law firm to start enforcement procedures and reallocate the City Attorney's budget to pay for those services.

ALL Short-Term Rentals (“Airbnb” is commonly known terminology) are illegal in Residential Zones in the City of Los Angeles. L.A.M.C section 12.21(A) (1) (a). A short-term rental is a rental that lasts fewer than 30 days. It is illegal to “AirBnB”(short-term rent) any portion of an apartment or house, regardless of whether you are a tenant or a landlord. This would include hotbeds like Silver Lake and Venice, which are mostly zoned low-density residential.

If you are tenant in a residential zone, it is irrelevant whether you have a written agreement with your landlord permitting you to do AirBnB. The agreement is considered illegal and unenforceable and the landlord can still evict you if he so chooses, at any time. You can also be prosecuted regardless of landlord permission. It is a misdemeanor punishable by up to 6 months imprisonment. LAMC Section 11(m).

If you are a rent-controlled tenant in a residential zone, Airbnb-ing your apartment is grounds for eviction, because rent-controlled tenants are not permitted to use their apartments for an “illegal purpose”

L.A.M.C 151.09(A) (4)

7. LADWP Ballot Measure (LAANC)

Motion

Refers to City Council file [16-0093](#)

WRAC supports the DWP Oversight Committee calls on the City Council to follow the recommendation in the IEA Survey to form “a committee to examine governance reforms for the Department with the explicit task of reporting its findings and recommending a measure for the 2017 ballot.”

This Governance Committee should be involved in drafting any memorandums and other information from the beginning and include at least two members from the Neighborhood Councils who are familiar with the operations and finances of DWP.

The DWP Oversight Committee recommends that there be a robust and transparent discussion and debate before any measure is placed on the ballot for voter approval or rejection.

8. Street Vending (LAANC)

Motion

Refers to City Council file [13-1493](#)

WRAC supports the CF: 13-1493 with the following conditions:

That all communities MUST opt-in to have street vending participate in their area. Opt-in public meetings shall be held at the Neighborhood Council for the boundaries of their Neighborhood Council. Once it is determined that the Neighborhood Council area will opt-in, the Department of Street Services will determine the site locations and hold public meetings in the affected communities.

There shall be a maximum of two street vendors per block with no merchandise displayed on public sidewalks, driveways, poles, fences, curbs or any other public right-of-way. These vendors will be selected by a lottery for the designated locations in the opt-in Neighborhood Council locations.

All authorized vendors must file an application for a revocable placard, pay a predetermined cost recovery application fee, obtain a Food Handling Certification, BTRC, FTB Resale License, Los Angeles County Health permit, and comply with any and all required local, state, and federal regulations. The authorized vendor will be required to pay an annual predetermined cost recovery fee that includes an annual cart inspection and complaint review.

If the City Council is unable to include these minimum conditions as part of the comprehensive legal framework, WRAC will withdraw its support and demand that the City Council immediately instruct the Department of Street Services to implement an ACE citation program to enforce the current municipal law of the City of Los Angeles.