



Minutes
Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting (virtual)
Tuesday May 14, 2024 7:00 P.M.

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage	X	
Robin Greenberg	X		Nickie Miner	X	
Don Loze	X		Jamie Hall	X	
Shawn Bayliss		X	Jason Spradlin	X	
André Stojka	X		Ellen Evans	X	
Steven Weinberg	X		Patricia Templeton	X	
Maureen Levinson	X		Leslie Weisberg		X
Stella Grey		X	Travis Longcore <i>ex officio</i>	X	

Vice-Chair Hall called the meeting to order at 7:03 pm and called the roll with quorum met. Maureen Levinson arrived at 7:25 PM for a total of 13 present and 3 absent.

1. Approval of the May 14, 2024 Agenda:

Motion to switch the order so item #6 comes at the end **passed** as **moved** by Dr. Longcore, and the agenda was **approved** as amended.

2. Approval of Minutes:

Motion to approve the **April 9, 2024 Minutes (Attachment A)** was **deferred**.

3. General Public Comment:

Donald Loze related that Benedict Canyon has a failure of the road; he'd like to suggest a future letter from the NC that indicates that the road, which is similar in purpose to Beverly Glen and Laurel Canyon, was not made for the current traffic, yet the repair schedule for those roads is considered part of the local very limited allocation of improvements for street improvement for a quarter of mile per year per council, and that as this is structural, they should get constant repair and attention. He would like this on the agenda and possibly a report on streets involved. **Nickie Miner** supported this message by Don Loze and would like to add the issue of the trucks to that presentation.

4. Chair Report: Robert Schlesinger, Chair, had no report.

5. Vice-Chair Report: Jamie Hall, Vice Chair, related that the Little Hoover Commission released its big report on CEQA Reform, which has been in the press this week, including on KPCC. One of their suggestions was to provide a stronger exemption for urbanized housing projects. He is concerned that we'll be characterized as "urbanized" which would make it harder to protect our hillside communities with remnants of the natural environment. He feels we should participate in the conversation, legislation will be proposed, and we must be sure to *not* get swept up in the characterization of all of Los Angeles being urban, which is *not* true.

[Attention was next turned to Item 7.]

6. **Discussion and possible motion** regarding multiple overlooked entitlements for the address of 10068 Westwanda, and general related missed entitlements on Westwanda over the years.

10068 Westwanda has applied for building permits which is missing a protected tree clearance, as well as a ZA case on for fronting (or abutting) a street less than 20' wide. Photographs of the property including protected trees and an assessor's parcel map show the property abuts a street 16' wide, see attached.

In addition, Westwanda is less than 20' in width at many locations. And any new projects on vacant land would be subject to filing a ZA case and/or dedication of street frontage.

Attached is a list of projects (new construction or significant projects over the last 20 years) that required either a ZA case or street dedication. (**Attachment B**) To date, the only project on Westwanda ever dedicated frontage, per parcel maps. No B-permit road improvements or ZA cases have been filed (or completed) on Westwanda Drive, including recent LADBS permit filings.

[Member Hall recused himself, noting that he represents residents on Westwanda against the City related to substandard roadway width on Westwanda.]

Member Stephanie Savage presented this item, requesting that we write the council office asking them to take a closer look at not just this example address, 10068 Westwanda, but current projects on the street: at least two of which have *not* gotten a ZA case, and to provide information of the chart we have where no one is dedicating, to see if they will do something about this, and even mark the road as all red. The letter would go to BOE and our Council District offices. Dr. Longcore suggested that we write to both of the council offices that represent us because this problem is in CD4 as well, and state that there is an example in CD5, and cc it to BOE. He noted that given there is no draft letter, could the motion be that someone from committee, Member Savage, for example, draft a letter that would then be presented to the board with that content, and be ready to review when it goes to the board.

Motion that someone from committee (Savage), draft a letter on this topic that goes to the board that covers the failure to dedicate, addressed to the council offices, and have this as an appendix; also send this to the BOE because of that relevance. This motion was moved by Savage and seconded by Evans. Discussion was held. Dr. Longcore asked for public comment. There was none. The motion to prepare a letter to send to the Board addressing these two interrelated issues with Westwanda as an example passed by 8 yeases, 0 noes, and 3 abstentions from Templeton, Loze and Longcore. Stephanie Savage will prepare a letter for the next meeting.

[The meeting was adjourned at 8:59 pm, following this item, taken last, out of order, as planned.]

7. **Discussion and possible motion** to draft a letter to BOE regarding the removal of the "street widths" in the table of contents from the latest (2024) iteration of NavigateLA. The letter would be sent to Wesley Tanijiri & others (BOE), Public Works (specific contact TBD) and the Department of City Planning (specific contact TBD) and to request the public data to be reinstalled since this information is the only current way the public can verify projects are on or accessed by BOE identified street widths less than 20'. Without this information, the City will likely miss more required discretionary entitlements and dedications within the hillside areas in BABCNC. With this data online reinstalled, the burden will be on permit applicants to obtain either a basic investigation or licensed land survey to verify the street conditions from the site frontage to the hillside boundary.

Note that all information in NavigateLA is allowed for public access via a disclaimer, and the public is encouraged to notify NavigateLA on any errors or discrepancies. See attached. (**Attachment C**) See attached images of the prior table of contents and the current table of contents. (**Attachment D**)

Member Savage introduced this agenda item, relating that, upon her further review since the agenda was created, we do *not* need to write the letter requested in the motion as the street widths were already there. She noted that Attachment D shows the entire City of LA; however, at that scale you do *not* have the full table of contents but only get the scale, including street widths once you are zoomed in at a level where you can see the Santa Monica Mountains with colors. She noted that it is there now, but to see it you have to be adequately zoomed in. She added that the images are incomplete and color coded with red = less than 20', green = greater than 30' & blue = 20' or greater. Following discussion, Dr. Longcore opened up NavigateLA on the screen and discussed how it works, showing examples where red was less than 20', green was greater than 28' and blue between 20' and 28'. Discussion was held on this.

[Maureen Levinson arrived at 7:25 pm.]

Member Savage noted that this is very piecemeal, and as Vice-Chair Hall noted it is very incomplete, and some is not mapped at all. After brief discussion, Hall noted that you have to understand the Hillside Referral Form (HRF), which needs to be completed before you can get your building permits in the hillside area, and is supposed to confirm roadway widths and help provide clearances, or direct you to get a ZAD if your road is less than 20' wide. Hall acknowledged that this is for a larger discussion. *(Hall noted that he didn't want to discuss anything related to Westwanda.)*

Dr. Longcore showed the layer Member Templeton shared, the GIS mapping layer from the City, a geo-hub, which you can download and view.

Chair Schlesinger noted the need to demand that presenters bring the Hillside Referral Form, which he'd like to see before presenters come and see us, so we can go measure the widths of the street. Evans verified that Hillside Referral Forms are often shockingly wrong but that there is currently an effort by the City to get some of the streets measured. Templeton asked what LADBS uses to decide what they think the street width is to which Evans responded that they use the Hillside Referral Form, and BOE's numbers. Savage noted that there are usually vault drawings associated. Some examples were given.

Vice-Chair Hall, raised the issue of the new State regulations, noting that traditionally the 20-foot road width regulation was a local law that the State has now mandated for at least new developments that the roadway be 20-feet wide, which applies to local responsibility areas in the Very High Fire Hazard Severity Zones (VHFHSZs). He noted that having accurate data is important to know whether a ZAD is required or any building permits can be issued and whether the project complies with State law, and that we can tie this in with our overall concerns about the City not even wanting to acknowledge the existence of the State regulations at this point. He asked whether we want to take any action.

Member Savage raised the issue of Caltrans and Public Works not communicating, as at least Caltrans has a more accurate and complete map with street widths (geo-hub). Hall asked if maybe we have a motion that the map be updated based on up-to-date reliable info including what LADOT may have. Evans noted that there is an effort (in a council file) that we could support moving forward with that quicker and in light of the new State law, with CIS and letters. Hall noted that he heard at City Hall that they'd like 60% of council files to have CISs and want to hear from us. Loze raised the issue raised by Evans of what if an applicant fails or intentionally erroneously describes the actual thing? Is it a misdemeanor, how is that treated, enforced, and what do you do with it, e.g., if a contractor gives false information?

Vice-Chair Hall summarized committee comments that a motion could include 1) HRF should be mandatory that applicants have to provide to the committee, to be included on our list, which the Chairman will add to the list he sends (don't need a motion); 2) support a council file already in existence; 3) relate our concern about the lack of information on NavigateLA and lack of concern by BOE re street widths; 4) consider including that information required by Planning is subject to the laws of perjury. Hall noted that there is a tree disclosure statement that "is required under penalty of perjury." Hall thinks we should start with data. Templeton wondered if we could find out why they are not incorporating LADOT's data... Evans discussed that when the measurement is wrong, it is a by right project, they don't come to us, which she considers the biggest issue, and citing a massive house on a 14' roadway in her neighborhood, where when they finally measured it, the house was so far done the ZA didn't know what to do and didn't do anything.

Discussion was held on the issue of where LADBS gets the data. Stephanie explained some of the ways to get the HRFs at the Engineering counter and noted that another part of it is that the projects we see are from expeditors and if they provide inaccurate information, measures can be taken, including but not limited to taking them to the Ethics Commission. Further examples were discussed. Evans noted that HRFs on projects are usually included in the Planning website. *[These HRFs may be found in "permanent link" under "Initial Submittal Documents" in our agendas.]*

Motion: Evans would move to find out what the status is of any measuring effort of any substandard hillside streets and any other information about how road width is determined and then come back to committee with that. As Hall and Evans reiterated, this is to do our own investigation of the status to measure streets and methodology of determining road widths so we can make a really informed choice on the action to take. Evans would be happy to try to find out where the measuring process is, while someone interested can find some specific information on what happens if BOE doesn't have width on the map, and how the HRF gets filled out, then report back to the committee to have an educated discussion. The motion was moved by Evans and seconded by Templeton.

A **replacement motion to substitute** was moved by Member Loze that the obligation of veracity to comply with the requirements of the City building code be placed on the applicant who must be subject to the laws of perjury if they do not accurately articulate the information required for an application for construction. This was seconded by Chair Schlesinger. Following discussion on this, Vice-Chair Hall noted that he heard what Loze was saying but did not think it was something we could vote on this evening as it was not actionable. Dr. Longcore called the question on Loze's motion with three in favor, Spradlin, Loze and Miner, all others opposed, and the **substitute motion did not pass**.

Attention was turned back to the **original motion** that had been moved by Evans and seconded by Templeton. Dr. Longcore called the question, and as requested by Member Miner, the motion reiterated by Hall was to conduct additional research regarding #1, the status of the Council File created regarding conducting additional street width measurements, and, #2, to gather more information about the current practices and procedures for confirming street widths, and then to report back to the committee so we can develop further actions. When questioned about having further discussion on the motion, Dr. Longcore noted that he assumed that given 2/3rds voted in the affirmative, he could assume people want to move on and vote on it. Hall assured Member Loze that we will have a longer discussion with enforcement and putting the burden on the applicant will be part of that discussion but not at this time.

Vice-Chair Hall noted that the motion **passed** and asked Evans to take the lead on reporting back to committee, and to reach out to Cathy when she is ready to have a report back, and if there was anyone she'd like to work with in gathering the information, to let us know; we will gather more information, have a longer conversation and think about what to recommend to our council and other officials. Evans will send Templeton an email address for LADBS's Public Relations person to answer the question about the sources for street widths other than BOE.

[Attention was next turned to #8.]

8. Discussion and possible motion on the Need for Street Dedication for New Projects in the Hillside

Member Savage introduced this item, noting that Member Grey originated this, and that they added two images, Examples 1 & 2 of "Street Dedications," the discretionary entitlement needed if you are on or accessed by streets less than 20 feet. Dr. Longcore screen shared the images, which Savage introduced, and noted that these three topics are tied together. She noted that oftentimes people may be accessed by streets less than 20 feet, and have to get a ZA case and then say they'll dedicate their frontage and think all is good; however, the dedication problem is an issue (pointing out the image of Westwanda). She noted that there was one property that did dedicate frontage very close to Benedict Canyon, where you can see above a measurement of 18.27 feet. She noted that these images are from aerial maps, and are accurate. She pointed out where the street is and where the dedication is -- a "dedication is basically everyone's front property line to front property line." She noted that sometimes people building houses build over the property line and into the PROW which is what makes streets narrow; they had good intentions to make them wider. She noted that in this case, the City made this person at the address of 9929 Westwanda dedicate frontage because their neighbor had made the street so narrow and that subsequently would require a ZA case for everyone north of that location because of that narrow pinch point that we could see on this map.

Member Hall mentioned variations noting we have both 20- and 28-foot substandard roadways, and even if 21 feet wide and no need for ZAD for the roadway you may nonetheless need to dedicate some additional land in front of your house to the City if not already dedicated to ensure there is a 28-foot wide road, whether or not improved. Hall related that before this requirement, there wasn't a dedication for that, and what the City requires in the Hillside Ordinance is one of those old-school roads: you have to dedicate a portion of your property to the City in the event that they widen the road further in the future. Questions were asked and answered as to houses built into the PROW.

Evans related that there is a Council File, #22-1476, regarding Highway Dedication / Waiver of Dedication and/or Improvement Process that tries to waive this dedication process but has no exemption for VHFHSZs in the hillside; so the motion should be a CIS on this council file saying there must be an exception for hillside. In explaining this motion in part, Vice-Chair Hall related that the Mobility Element and other regulations in the City require development projects in the flats and the hills to dedicate portions of their frontage to the City so that streets can be widened. He knows of some examples, e.g., Melrose east of La Brea, where the road is a certain width and then there is a new development where the road is completely wider, so with new developments, they require you to dedicate portions of your land, and sometimes there may be a dramatic widening of the road. He noted that some advocates think that this is a safety hazard, in addition to causing removal of street trees and removing the possibility for additional housing units, sacrificing opportunities to build denser projects so you can have wider streets. He noted that there is a pending motion that would relieve applicants of that responsibility.

He noted that Member Grey brought this to his attention, and she believes if it applies to the hillsides it could set a negative precedent because we are in a different situation here in the VHFHSZ and having so many substandard roads. She has recommended that our committee suggest a carve out for hillsides; if this council wants to make a legislative change that it not apply to the hillsides, because we need wider streets.

Member Savage shared that the other image is of Gould, a better example to look at for what a dedication is. It has a wide dedication for two-way; however, the frontage was only 11 feet, and this project escaped a ZA case.

Motion as to the council file Ellen mentioned, she'd suggest opposing unless amended to exclude the hillside for the reason of fire safety and new State Fire Regulations was moved by Evans; seconded by a Weinberg. Extensive discussion was held, with hall noting that CF 22-1476 proposes to amend the existing process and procedure, and generally speaking, will make it easier for there to be waivers of dedication or other improvements. Hall noted that they are calling this "spot-widening," which they are saying causes harms to communities, and spot widening in our communities creates have benefits and saves lives.

Hall discussed examples of spot widening, which he noted serves different purposes in the hills and the flats. He noted that our State regulations are designed to acknowledge that we need roads of a certain minimum width to provide for concurrent resident evacuation and emergency personal ingress in the event of a fire. He noted that the problem with the motion currently introduced is that it is a one-size fits all, that says spot widening is bad, and shouldn't have regulations that require people to widen roads because of x, y and z; but thinks it doesn't apply in the hills. To clarify, Hall read the motion from the council file https://clkrep.lacity.org/onlinedocs/2022/22-1476_misc_11-22-22.pdf. Hall is suggesting that the presumption in the hillside area should be that a wider the road in the VHFHSZ is a good thing. He noted that Members Grey, Evans and others are concerned that if we don't opine on this, the report back will be one size fits all and will reform the waiver and/or improvement process in the hills when we don't think it needs reformation. He noted that it mentions new multifamily and commercial developments but doesn't talk about hillside residential areas.

The motion reiterated is to recommend that the NC adopt a CIS to oppose this motion unless it is amended to provide a carve out for VHFHSZs. Discussion was held with Savage noting that if you have proper dedication on your site, you can ask for the waiver of dedication, but very often people and they do not... Templeton had difficulty taking a position on a City Council motion that she hasn't seen but thinks theoretically that we should have carve outs with regard to road widths. He acknowledged that the CIS was not amended.

After further discussion, Hall noted that maybe our CIS could be more sophisticated, to be more than oppose unless amended. It could be opposed and these are the amendments we want. We don't want to make it easier to avoid street widths and there is a problem with the current system and we want the ** reforms in our area.

Dr. Longcore moved to call the question, having acknowledged the sense of the committee, suggesting forwarding the motion to the board as a whole, doing a little homework between now and then and refine it at the board meeting, taking action now to get it on the agenda and give Patricia a chance to read it and to make suggestions at the board meeting. Vice-Chair Hall thought not only should we oppose unless amended but make amendments to the current process as it is not working as it should. Dr. Longcore noted that this could be done at the board meeting. The motion **passed** with Member Loze opposed and Member Templeton and Dr. Longcore abstaining. Hall noted that this will be forwarded to the whole NC, and hopefully allow Member Grey's LADBS Committee do their work before this goes to the full council; hopeful that they'll work on the nitty gritty to be brought to the whole NC.

[Attention was next turned to Item #6, Westwanda.]

Following Item #6, the meeting adjourned at 8:59 pm to return on June 11, 2024 at 7:00 PM.