

Communication from Public

Name: ELELIA

Date Submitted: 11/06/2023 05:59 PM

Council File No: 23-1039

Comments for Public Posting: I AM AGAINST THIS PROJECT BEING ALLOWED!!! WE BOUGHT THIS HOUSE THAT IS A RA ZONED FOR THE PURPOSE OF OUR HORSE & OTHER FARM ANIMALS & TO GROW OUR GARDENS. IT IS A RESIDENTIAL NEIGHBORHOOD & WE WANT TO KEEP IT THAT WAY. THIS NEIGHBORHOOD IS "NOT" FOR YOUR PROFIT. YOUR APARTMENTS WOULD BE NOTHING BUT PROBLEMS FOR OUR NEIGHBORHOOD.#1 YOU DONT MAKE ENOGUH PARKING & THEY WILL PARK IN FRONT OF OUR HOUSES, OUR NEIGHBORS HOUSES AND THEY LEAVE TRASH BEHIND & OUR GUEST WONT BE ABLE TO PARK IN FRONT OF OUR HOUSES DUE TO YOUR PROJECTS. #2 APARTMENTS ATTRACT DRUG DEALERS, DRUGS, PETALFILES,RAPIST,ETC. NOT TO MENTION- CRIME RATE GOES UP. THSES APARTMENTS ARE TOO CLOSE TO OUR SCHOOLS & OUR NEIGHTBORS WILL NO LONGER BE SAFE AND WONT HAVE PRIVACY, WONT HAVE SUNLIGHT BECAUSE OF THE APARTMENTS. #3 THIS NEIGHTBORHOOD IS NOT FIT FOR YOUR APARTMENTS IF YOU WANT TO BUILD YOUR APARTMENTS DO IT IN YOUR OWN BACK YARD IN BEVERLY HILLS & LEAVE OURS ALONE. GET OUT OF OUR NEIGHBORHOOD. #4 NOT TO MENTION OUR PROPERTY VALUES WILL GO DOWN. #5 NO ONE WANTS TO LIVE IN APARTMENT THEY WANT TO LIVE IN A HOUSE.....

Communication from Public

Name: Mason

Date Submitted: 11/06/2023 08:06 PM

Council File No: 23-1039

Comments for Public Posting: Dear Council Members, Please take the time to listen to the residents of Reseda Ranch. If you allow this Apartment building to proceed, it will trigger a domino effect. This is what can potentially happen: The apartments get built Distraught neighbors leave reseda ranch and move out of reseda. those house will be purchased by greedy real estate moguls who live in Beverly Hills, not ever thinking about the little guy They will continue to build apartments throughout Reseda Ranch, in which more and more hard-working families will move out of their home due to traffic, higher crimes, un safety if you do not stand for the residents of Reseda Ranch. 10 years from now. Reseda Ranch will turn into what we see in LA., no parking, condensed traffic, crimes, degradation of neighborhoods, gang violence increase. let's face it we are in a recession, and that sometimes does not bring the best of people. A decision to approve this one building that found a loophole. Will open the door to the destruction of Reseda Ranch. We need to stick together and stand up to these moguls. I'm can confidently say, they would not want an apartment building in their neighborhood, let alone next to their house. Why come to our home and build one here? its easier to destroy a neighborhood you don't live in, hence why they are not building any near them where they live. We all voted for leaders like you to represent us. please be our voice. por favor deja tu voz

Communication from Public

Name: Chatura

Date Submitted: 11/06/2023 07:46 PM

Council File No: 23-1039

Comments for Public Posting: Dear Council Members Harris-Dawson, Lee, Yaroslavsky, Padilla, and Hutt, My name is Chatura, a 15-year resident of Reseda Ranch, living directly across from Cleveland High School on Strathern Street. I am writing to you today not just as a concerned citizen but also as someone who has personally witnessed the consequences of unchecked traffic in our area, which led to the loss of my mother to a tragic accident in 2010. The purpose of this letter is to express my grave concerns regarding the proposed 200-unit low-income apartment development at 7745 Wilbur and the subsequent project at 7947 Wilbur. While I am fully supportive of initiatives that promote affordable housing and community development, the proposed scale and location of these projects present significant concerns that I believe warrant careful reconsideration: Environmental Impact: Our community is renowned for its green spaces, which significantly contribute to the mental and physical well-being of its residents. The proposed development poses a threat to local wildlife habitats, increases the urban heat island effect, and pressures existing infrastructure. I am apprehensive about the long-term environmental consequences that this project might entail. Traffic Congestion and Safety: Increased population density inevitably leads to more vehicles on the road. The vicinity of Cleveland High School already poses unique traffic challenges, especially during school hours when young students are most vulnerable. The additional traffic from 200+ households will exacerbate these conditions, raising the risk of accidents in an area already known for speeding and, regrettably, past fatalities. Community Character and Cohesion: Reseda Ranch is characterized by its tight-knit community and small-town feel, aspects that have taken decades to cultivate. The development of high-density housing would irrevocably alter the fabric of our neighborhood, potentially displacing long-term residents and disrupting the communal harmony we cherish. It is my respectful request that the council closely examine the potential adverse effects of these developments on our community's environment, safety, and character. I implore each of you to consider scaling down the size of these projects or exploring alternative locations that could better support such density without compromising the integrity of our neighborhood. I appreciate your attention to this

matter and your ongoing commitment to serving our community's best interests. I am open to further discussion and am willing to participate in collaborative efforts to find a solution that benefits all parties involved. Thank you for your time and consideration.

Communication from Public

Name: Sunil

Date Submitted: 11/06/2023 07:54 PM

Council File No: 23-1039

Comments for Public Posting: Dear Council Members, My name is Sunil, and I have been a proud resident of Reseda Ranch for over 15 years, living on Strathern Street near Cleveland High School. Today, I am writing to express my strong opposition to the planned apartment projects at 7745 and 7947 Wilbur Avenue. 13 years ago i lost my wife to a drunk driver on strathern street due to a speeding vehicle and the driver being drunk. I am afraid due to the large influx of population arriving. There is a great potential for us to lose another life if we invite projects like there which would cause high density. im tried of seeing names and ballons on every corner on reseda. This will definetly create more traffic. We have the opportunity to prevent this from occurring. Let's not chase greed over a life. Here are my key concerns: Traffic and Safety Risks: The streets around our home and the nearby high school are already facing issues with speeding cars. Introducing a high-density housing complex will only increase traffic and, with it, the potential for accidents. Having lost a family member on these streets to a traffic incident, this concern is deeply personal and urgent. Preserving Our Community: Our neighborhood is unique, with a calm and friendly atmosphere we've all come to cherish. The proposed large apartment complexes threaten to change that, bringing a level of urbanization that could disrupt the essence of what makes Reseda Ranch the community we love. Environmental Preservation: The greenery and open spaces in our area are not just for aesthetics; they are part of our community's health and well-being. The environmental impact of these proposed developments could be detrimental, upsetting the natural balance that our neighborhood has maintained for years. I understand the need for housing in our city, but the proposed developments are not the right fit for our community. The risks they pose to our safety, environment, and the character of our neighborhood are too great. I am not against development, but I firmly believe that these particular projects are not what Reseda Ranch needs or wants. I urge you to consider the voices of the residents like myself who call this neighborhood home and to recognize the lasting impact such a development would have on our lives. I am asking you to reject the proposed plans for these apartment buildings and to protect the quality of life in Reseda Ranch. Thank you for your attention to this critical matter.

Sincerely, Sunil

Communication from Public

Name: Keith Diggs (YIMBY Law)
Date Submitted: 11/06/2023 10:06 PM
Council File No: 23-1039
Comments for Public Posting: Letter attached. This project is vested under the version of ED 1 in effect at the time of the preliminary application, and YIMBY Law reserves its right to pursue HAA litigation in support of this project's approval if necessary.



877 Cedar Street #150 | Santa Cruz, CA 95060

November 6, 2023

via public comment forum and email

L.A. City Council Planning & Land Use Mgmt. Committee, clerk.plumcommittee@lacity.org

Re: “Vesting” of Development Rights Under the Mayor’s Executive Directive
(7745-7751 N. Wilbur Ave., Case No. CF 23-1039)

To the Planning & Land Use Management Committee:

Following up on our letters of September 19 and October 2 regarding similarly situated projects on Ethel and Winnetka Avenues (case nos. 23-0835, -0908), YIMBY Law remains concerned that **the City of Los Angeles might refuse to honor an SB 330 preliminary application** (see Gov. Code [§ 65589.5](#), subds. (o)(1), (4)) that was submitted in reliance on an executive directive then in effect. (Compare Mayor of L.A.’s Exec. Dir. No. 1 (Dec. 22, 2022) [[“ED 1”](#)] with Mayor of L.A.’s Exec. Dir. No. 1 (revised June 12 and July 7, 2023) [[“Revised ED 1”](#)].) The project at 7745-7751 N. Wilbur Ave. will be the third of these projects to be heard by your committee, and we ask you to honor state vesting law and approve these much-needed affordable housing projects. **We reserve our right to pursue litigation under the Housing Accountability Act (Gov. Code § 65589.5) if necessary.**

The facts as we understand them are simple. When the preliminary applications were submitted, ED 1 commanded city departments to approve all 100% affordable housing projects at “the densit[ies] permitted . . . by the applicable zoning or the General Plan Land Use Designation” as augmented by “the State Density Bonus and LAMC bonuses, incentives, waivers and concessions.” (ED 1, ¶ 2.) Due to an often-litigated unconformity between the City’s single-family zoning and low-density residential general-plan designations (e.g., *Snowball W. Invs. L.P. v. City of Los Angeles* (B314750, app. pending)), in conjunction with the Density Bonus Law (Gov. Code §§ 65915 *et seq.*), the original ED 1 authorized ministerial approval of 100% affordable multi-family projects on single-family sites. *After* the preliminary applications were submitted, the mayor revised ED 1 to except that “in no instance shall the project be located in a single family or more restrictive zone.” (Revised ED 1, ¶ 1.)

The issue is not whether the preliminary applications could vest under Revised ED 1, because the preliminary applications were submitted before ED 1 was revised. Instead, the question is whether subdivision (o) of the Housing Accountability Act (“HAA”), as amended by SB 330 to vest the development rights of affordable housing development projects upon submission of a preliminary

application, includes ED 1 among the “ordinances, policies, and standards” within its scope. (Gov. Code § 65589.5, subds. (o)(1), (4).) We submit that it does.

The vesting law’s purpose is clear, and its scope is broad. State law recognizes a “preliminary application” that affordable developers may submit on a form that [the City](#) has adopted. (Gov. Code § 65941.1, subds. (a), (b)(1)–(2).) The HAA in turn provides that “a housing development project shall be subject *only to the ordinances, policies, and standards adopted and in effect* when a preliminary application . . . [i]s submitted.” (*Id.* § 65589.5, subd. (o)(1), italics added.) For purposes of this rule,

‘ordinances, policies, and standards’ includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and *any other rules, regulations, requirements, and policies of a local agency*, as defined in Section 66000,¹ including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions.

(*Id.*, subd. (o)(4), italics and footnote added.) This definition of “ordinances, policies, and standards” is expansive, and makes no exceptions. If it somehow excludes mayoral executive directives (and it doesn’t), the exclusion isn’t expressed in the text.

It’s hard to imagine how an executive directive *wouldn’t* come within the scope of subdivision (o). Courts recognize executive directives when interpreting law, and have called an executive directive a “requirement.” This is the same word that appears in subdivision (o). In *Domar Electric, Inc. v. City of Los Angeles* (1994) 9 Cal.4th 161, the Supreme Court of California upheld the mayor’s Executive Directive No. 1-C, establishing a program under which city contract bids had to document outreach to minority- and women-owned subcontractors (*id.* at pp. 165–68), against a claim that the program violated a charter requirement awarding contracts “to the lowest and best regular responsible bidder.” (*Id.* at pp. 165, 169–70.) The *Domar* court saw “no conflict between the [executive directive’s] outreach program and the purposes of [the charter requirement for] competitive bidding.” (*Id.* at p. 173.) *Domar* repeatedly framed Executive Directive No. 1-C as a “requirement.” (*Id.* at pp. 170, 172–73, 175–76, 178.) Neither *Domar* nor the HAA construe “requirement” as other than its usual meaning. Even if they had, we cannot fathom how courts would pay executive directives any attention (as they do) if executive directives don’t count among “policies,” “standards,” “rules,” or “regulations.” (Gov. Code § 65589.5, subd. (o)(4); see *City of Long Beach v. City of Los Angeles* (2018) 19 Cal.App.5th 465, 492 [upholding a final EIR that rejected a “no project alternative” as frustrating “Executive Directive No. 10”]; *1049 Market Street, LLC v. City & Cnty. of San Francisco* (Super. Ct. S.F. City and County, July 11, 2017, No.

¹ “‘Local agency’ means a county, city, whether general law or chartered, city and county, school district, special district, authority, agency, any other municipal public corporation or district, or other political subdivision of the state.” (Gov. Code § 66000, subd. (c).) Nothing in this statutory definition excludes the mayor of a local agency.

CPF-16-515046) 2017 Cal. Super. LEXIS 502, *7 [taking judicial notice of a mayoral executive directive commanding discretionary review of proposals that would result in a loss of housing].) Vesting rights have been broadly construed in the analogous context of the Subdivision Map Act (Gov. Code §§ 66410 *et seq.*), even if the appellate courts have not construed subdivision (o) of the HAA since it was added by the Housing Crisis Act of 2019. (Cf. *Save Livermore Downtown v. City of Livermore* (2022) 87 Cal.App.5th 1116, 1124–30 [construing other HAA provisions in support of housing]; *Cal. Renters Legal Advocacy & Educ. Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820, 835–46 [same].) Just like vesting rights under subdivision (o), the Subdivision Map Act mandates that a local agency must honor all “ordinances, policies, and standards in effect” at the time an application is submitted. (*Id.* § 66474.2, subd. (a); accord *id.* § 66489.1, subd. (b) [“When a local agency approves . . . a vesting tentative map, that approval shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Section 66474.2.”].) This is a vesting tentative map’s “most notable feature” (*Bright Dev. v. City of Tracy*, 20 Cal.App.4th 783, 788), and it “allows a builder to rely on the regulations, conditions, and fees that exist at the planning stage when assessing the economics of . . . a development that may take years or even decades to complete.” (*N. Murrieta Cmty., LLC v. City of Murrieta* (2020) 50 Cal.App.5th 31, 41.) These vesting rights have been found to preempt later-enacted voter initiatives (*Redondo Beach Waterfront, LLC v. City of Redondo Beach* (2020) 51 Cal.App.5th 982, 994–95) and capital-facility fee escalations (*Kaufman & Broad Cent. Valley, Inc. v. City of Modesto* (1994) 25 Cal.App.4th 1577, 1591). If there’s a case that would exempt executive directives from “ordinances, policies, and standards” (Gov. Code § 65589.5, subs. (o)(1), (4); *id.* § 66474.2, subd. (a); *id.* § 66489.1, subd. (b)), we cannot find it.

In short, the correct interpretation of subdivision (o) is the intuitive one: a preliminary application vests according to the terms of an executive directive then in effect, and a subsequent revision of the executive directive does not constrain those projects preliminarily applied for. The California Department of Housing & Community Development [agrees with us](#). We regret that the City needs to be reminded of this, and (again) **we reserve our right to pursue litigation against the City if the City fails to approve the project**. Thank you for your attention to this matter, and please contact me if further discussion would avail.

Sincerely,



Keith Diggs (keith@yimbylaw.org)
Attorney, YIMBY Law

Communication from Public

Name: Jeff

Date Submitted: 11/02/2023 04:52 PM

Council File No: 23-1039

Comments for Public Posting: My name is jeff and I'm 1000% against these rich developers trying to keep to put apartments where they do not belong this is reseda ranch it's called that for a reason cause quiit's quite, we have are animals, nice size properties my family and I moved to this area when I was a kid for a reason and I'm still living in same house I live where I live, out right ti have animals, out privacy these apartments will destroy everyone's living, our animals, privacy be able to park in front of our own houses these apartments will bring more problems people we dont know be parking in front of our houses. There would be more crimes it's a know fact where apartments are. Wilbur ace it's a main street like reseda you bring apartments in where there is houses you will make it a nightmare no one in this area wants to live next to a eye sore. This is a beautiful area that's why we live here we love everything about it and our privacy stop this madness if you care then stop this stop trying to put apartments here stop tryong to ruin reseda ranch. The goal the people want is to live in a house, nice yard ,privacy, room for our animals, not high traffic area, people want to live in a house not a prison that's what a apartment is walls, small rooms, hundred of people you do lot know. People get there cars broke into and around apartments I know this cause I know people live in apartments and deal with crap like this if you have a soul if you care about the people and not dollar signs ends this for good stop trying to ruin out way of lives. I like where I live and when I have guest over they can park in my driveways and in front of my house this apartments will ruin that and for other neighbors we pay taxes for these roads, our houses and right to park in front of our houses and not have random people do not know or have right to park in front if houses they do not live at. I can repeat my self over and over if it means to end this stupid apartment buildings being built and ruin my neighbors and mine our ways of life and why we moved to this neighborhood please find places to build and not where houses are we do not want to lose or privacy, animals, our sunlight you will destroy everything for everyone and for what a dollars that's not heart you need to have a heart and not put these apartments where they do not belong dont ruin why we all moved here please for the love of God..

Communication from Public

Name: JUDY DE LA CRUZ

Date Submitted: 11/06/2023 12:12 PM

Council File No: 23-1039

Comments for Public Posting: I am against this project being allowed in Reseda Ranch

Communication from Public

Name:

Date Submitted: 11/06/2023 11:39 AM

Council File No: 23-1039

Comments for Public Posting: I feel it's time for my fellow Valley dwellers to realize we must create more housing of an affordable nature, and projects like this are *good* for the community. I say this as a horse and horse property owner. We must create housing for those who can't qualify to buy a \$900k 'starter' home. Our property values go up if developers are allowed projects like this - sounds like a win-win to me.

Communication from Public

Name: ilan sendowski

Date Submitted: 11/06/2023 04:16 PM

Council File No: 23-1039

Comments for Public Posting: Dear City Clerk, i live in Reseda Ranch for 45 years. The large project on Wilbur is just one block away. 1. I feel our neighborhood is being abused. 2. such a large project has the potential of becoming like the old project housing. 3. putting such a high-rise building right on top of an earthquake invites the wrath of nature. please utilize the property for a smaller number of larger units, something that is suitable for families, as are most of us in the area, and avoid the extra towering height. thank you.

Communication from Public

Name: Angelina

Date Submitted: 11/06/2023 04:05 PM

Council File No: 23-1039

Comments for Public Posting: We are overcrowded as it stands. Too much congestion, too much resources being used, this will cause issues for people trying to live a normal and comfortable less noisy life. Plus - it's all greed with the housing costs as they are. Money hungry people trying to gouge more money out of barely making it citizens. Stop it!

Communication from Public

Name: Eduardo

Date Submitted: 11/06/2023 05:13 PM

Council File No: 23-1039

Comments for Public Posting: I'm against this project being allowed people will loose their privacy and animals!