

Communication from Public

Name: Elise Swanson

Date Submitted: 10/19/2021 09:45 AM

Council File No: 15-0129-S1

Comments for Public Posting: October 19, 2021 Councilmember Marqueece Harris-Dawson, Chair Planning & Land Use Management Committee (PLUM) City of Los Angeles 200 N. Spring Street Los Angeles, CA 90012
RE: Comments regarding the Draft Mello Act Ordinance Dear Councilmembers, The San Pedro Chamber of Commerce strongly supports housing production at all income levels, and we appreciate the intent of the Mello Act Ordinance to preserve and increase the amount of affordable housing in the coastal zone, and your efforts to clarify and streamline the approval process. We would like to bring to your attention our concern that the proposed Mello ordinance treats all coastal areas in the City of Los Angeles the same and does not consider the significant difference in affordability between median housing costs in San Pedro relative to the median housing costs in Venice or the Palisades. Housing costs are largely driven by land costs, which differ significantly across the Coastal Zone. As such, a more equitable Mello ordinance would consider the relative affordability of San Pedro and would impose a less burdensome affordability mandate on developers relative to some of the more costly Los Angeles coastal zones. A more equitable Mello ordinance would have different inclusionary thresholds and in-lieu fees for different areas of the Coastal Zone since feasibility differs across areas. The City of Los Angeles has adopted a similar gradient fee schedule in place for the development of Transit Oriented Communities (TOC). However, the proposed Mello ordinance has a “one size fits all” approach to feasibility, which is unsupported by substantial evidence. We believe the Mello Act as drafted, may have a negative effect upon the creation of new housing units in the coastal areas of San Pedro by increasing the cost and complexity of housing development. Thank you for your consideration. Please contact me at eswanson@sanpedrochamber.com or (310) 832 – 7272 if you need additional information. Sincerely, Elise Swanson
President/CEO San Pedro Chamber of Commerce



October 19, 2021

Councilmember Marqueece Harris-Dawson, Chair
Planning & Land Use Management Committee (PLUM)
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

RE: Comments regarding the Draft Mello Act Ordinance

Dear Councilmembers,

The San Pedro Chamber of Commerce strongly supports housing production at all income levels, and we appreciate the intent of the Mello Act Ordinance to preserve and increase the amount of affordable housing in the coastal zone, and your efforts to clarify and streamline the approval process.

We would like to bring to your attention our concern that the proposed Mello ordinance treats all coastal areas in the City of Los Angeles the same and does not consider the significant difference in affordability between median housing costs in San Pedro relative to the median housing costs in Venice or the Palisades. Housing costs are largely driven by land costs, which differ significantly across the Coastal Zone. As such, a more equitable Mello ordinance would consider the relative affordability of San Pedro and would impose a less burdensome affordability mandate on developers relative to some of the more costly Los Angeles coastal zones. A more equitable Mello ordinance would have different inclusionary thresholds and in-lieu fees for different areas of the Coastal Zone since feasibility differs across areas. The City of Los Angeles has adopted a similar gradient fee schedule in place for the development of Transit Oriented Communities (TOC). However, the proposed Mello ordinance has a “one size fits all” approach to feasibility, which is unsupported by substantial evidence. We believe the Mello Act as drafted, may have a negative effect upon the creation of new housing units in the coastal areas of San Pedro by increasing the cost and complexity of housing development.

Thank you for your consideration. Please contact me at eswanson@sanpedrochamber.com or (310) 832 – 7272 if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Elise Swanson".

Elise Swanson
President/CEO
San Pedro Chamber of Commerce

Communication from Public

Name: Aaron Temin

Date Submitted: 10/19/2021 06:02 AM

Council File No: 15-0129-S1

Comments for Public Posting: Please ensure that the final version of the ordinance does not reduce the number of affordable housing units in Los Angeles. It is unclear to me if the current wording which would allow for demolition of existing structures to allow for new, mixed use development protects the overall housing stock or not. Thank you.

Communication from Public

Name:

Date Submitted: 10/19/2021 01:34 PM

Council File No: 15-0129-S1

Comments for Public Posting: PLUM CTEE MEMBERS et al! Today's Item#11/Draft MELLO ACT has been chewed, spit out, disregarded, and fought for just, fair, solid implementation for decades, specifically in our historically, culturally Sensitive Venice coastal zone. Gather your knowledge, hearts and power to Permanently Prohibit Demolitions of Housing, homes, public spaces for Commercial Uses into perpetuity. Venice has suffered enough! IMgrateful for your Good Actions, indeed. Ingrid Mueller 33-year Affordable Housing Activist Venice 90291

Communication from Public

Name: Robin Rudisill, Coastal San Pedro Neighborhood Council

Date Submitted: 10/19/2021 10:33 AM

Council File No: 15-0129-S1

Comments for Public Posting: *We generally support the draft ordinance except that there is one significant error that must be fixed. *We have a dangerous enemy in our coastal zone and that is the push for commercialization of housing. The legislative history is that the Mello Act includes protection of all housing so that coastal areas would not have housing replaced by more lucrative commercial uses. *Our neighborhood council has written three CIS's expressing our serious concern about this ordinance allowing and effectively encouraging the replacement of housing structures in commercial zones with mixed use retail and restaurant projects. *There's a significant number of residential structures in commercial zones in the coastal zone—at least 300 properties, with over 2,200 units, almost 1,000 of which are RSO units. So, this is a very important issue. *As you know, one of the top four Citywide housing priorities in the City's pending Housing Element is "Preventing displacement and protecting Angelenos." *Allowing demolition or conversion of residential structures for purposes of mixed-use projects would be in direct conflict with that priority goal, and so the Mello ordinance must be amended to make it clear that this is prohibited. Allowing and even incentivizing commercialization of residential structures for mixed use projects would, contrary to the City's housing priorities, cause a significant adverse cumulative impact of displacement of existing Angeleno Coastal Zone residents from the Coastal Zone, mainly lower-income residents, minorities, and people of color. City Planning's desire to allow residential structures to be demolished or converted for purposes of mixed-use projects must be clearly prohibited in the final Mello Act ordinance in order to prevent increased displacement of what is most often our lower income and most racially and socially diverse residents, who are to be protected under the Coastal Act, the Mello Act and the Settlement Agreement, as well as under the City's Housing Priorities. I spoke at the February CPC meeting about all of the abuses going on for all these years with the Mello law, with the result of almost no replacement units approved over the past two decades when dozens of them should have been if the law had been followed and workarounds and loopholes had been closed. As a result, we lost millions and millions of dollars of affordable housing that the law required to be replaced; and, most devastating, the lower income occupants in those affordable units

were displaced. It has been horrible, unbelievable, and shocking. Some have called it an ethnic cleansing. There's some truth to that, and at a minimum it has been structural racism, perhaps a matter to consider for restitution. *I know the Mayor and some Councilmembers love mixed use projects, and we do too! But in the Coastal Zone we cannot allow mixed use projects to replace residential structures. *We recommend that the Mayor and City Council encourage replacement of commercial structures with mixed uses. That would increase housing. Allowing for mixed use to replace residential structures would violate the Mello Act and the City's Settlement Agreement and does not increase housing. *Frankly, the only thing being able to convert residential structures to mixed use projects would do is enrich developers and investors by allowing a more lucrative commercial use to replace a residential structure, and it does nothing to protect existing or increase housing. *The Settlement Agreement for the lawsuit between the Venice and San Pedro communities and the City from 20 years ago states that all current and future ordinances in the Coastal Zone shall be consistent with the Mello Act and the Settlement Agreement. Allowing residential structures to be replaced with mixed use development is not consistent. *Also, this ordinance must be equally or more protective than the Settlement Agreement and the IAP, and with the mixed-use provision it is actually less protective. Accordingly, the ordinance cannot allow for mixed use. *Commissioner Mack said at the CPC hearing that we need to prioritize people in the planning process. In this case that means prohibiting this ability to replace housing structures with mixed use developments in this Mello Act Coastal Zone ordinance, such a practice would only serve to displace our lower income residents, who we all know are primarily lower income minorities and people of color. *In fact, several CPC Commissioners were concerned about this mixed-use provision but Planning told them the issue can be worked out in the Community Plan process. That is not correct because this is not an issue of the community's desires re. zoning but rather an issue of preventing housing from becoming non-residential uses, as required by the Mello Act and the Settlement Agreement. The Mello Act applies to residential structures in any type of zone within the Coastal Zone. This is not a zoning issue, this is a legal i

PLUM Mello Act Ordinance hearing

October 19, 2021

Robin Rudisill

Coastal San Pedro Neighborhood Council board member and land use chair

We generally support the draft ordinance except that there is one significant error that must be fixed.

We have a dangerous enemy in our coastal zone and that is the push for commercialization of housing. The legislative history is that the Mello Act includes protection of all housing so that coastal areas would not have housing replaced by more lucrative commercial uses.

Our neighborhood council has written three CIS's expressing our serious concern about this ordinance allowing and effectively encouraging the replacement of housing structures in commercial zones with mixed use retail and restaurant projects.

There's a significant number of residential structures in commercial zones in the coastal zone – at least 300 properties, with over 2,200 units, almost 1,000 of which are RSO units. So, this is a very important issue.

As you know, one of the top four Citywide housing priorities in the City's pending Housing Element is "Preventing displacement and protecting Angelenos."

Allowing demolition or conversion of residential structures for purposes of mixed-use projects would be in direct conflict with that priority goal, and so the Mello ordinance must be amended to make it clear that this is prohibited.

Allowing and even incentivizing commercialization of residential structures for mixed use projects would, contrary to the City's housing priorities, cause a significant adverse cumulative impact of displacement of existing Angeleno Coastal Zone residents from the Coastal Zone, mainly lower-income residents, minorities, and people of color.

City Planning's desire to allow residential structures to be demolished or converted for purposes of mixed-use projects must be clearly prohibited in the final Mello Act ordinance *in order to prevent increased displacement of what is most often our lower income and most racially and socially diverse residents, who are to be protected under the Coastal Act, the Mello Act and the Settlement Agreement, as well as under the City's Housing Priorities.*

I spoke at the February CPC meeting about all of the abuses going on for all these years with the Mello law, with the result of almost no replacement units approved over the past two decades when dozens of them should have been if the law had

been followed and workarounds and loopholes had been closed. As a result, we lost millions and millions of dollars of affordable housing that the law required to be replaced; and, most devastating, the lower income occupants in those affordable units were displaced. It has been horrible, unbelievable, and shocking. Some have called it an ethnic cleansing. There's some truth to that, and at a minimum it has been structural racism, perhaps a matter to consider for restitution.

I know the Mayor and some Councilmembers love mixed use projects, and we do too! But in the Coastal Zone we cannot allow mixed use projects to replace residential structures.

We recommend that the Mayor and City Council encourage replacement of commercial structures with mixed uses. That would increase housing. Allowing for mixed use to replace residential structures would violate the Mello Act and the City's Settlement Agreement and does not increase housing.

Frankly, the only thing being able to convert residential structures to mixed use projects would do is enrich developers and investors by allowing a more lucrative commercial use to replace a residential structure, and it does nothing to protect existing or increase housing.

Also, there is a proven, ongoing loophole related to this mixed use option where once owners convert their buildings to mixed use, they tend to take over the residential units for other uses, such as offices, storage, retail, etc., and the City does not enforce these violations. This mixed-use provision would exacerbate that problem.

The Settlement Agreement for the lawsuit between the Venice and San Pedro communities and the City from 20 years ago states that all current and future ordinances in the Coastal Zone shall be consistent with the Mello Act and the Settlement Agreement. Allowing residential structures to be replaced with mixed use development is not consistent.

Also, this ordinance must be equally or more protective than the Settlement Agreement and the IAP, and with the mixed-use provision it is actually less protective. Accordingly, the ordinance cannot allow for mixed use.

Commissioner Mack said at the CPC hearing that we need to prioritize people in the planning process. In this case that means prohibiting this ability to replace housing structures with mixed use developments in this Mello Act Coastal Zone ordinance, such a practice would only serve to displace our lower income residents, who we all know are primarily lower income minorities and people of color.

In fact, several CPC Commissioners were concerned about this mixed-use provision but Planning told them the issue can be worked out in the Community Plan process.

That is not correct because this is not an issue of the community's desires re. zoning but rather an issue of preventing housing from becoming non-residential uses, as required by the Mello Act and the Settlement Agreement. The Mello Act applies to residential structures in any type of zone within the Coastal Zone. This is not a zoning issue, this is a legal issue as it would be a violation of the Mello Act state law and the Settlement Agreement. Thus, the issue cannot be fixed or changed by making zoning changes in a community plan update. This practice must be prohibited in this ordinance.

Also, City Planning believes this mixed-use provision supports their objective to increase housing, but I am hard pressed to understand how allowing residential structures to convert to mixed use increases housing. It would not.

The letter submitted to you yesterday by Venskus & Associates and Betsy Butler of the California Women's Law Center clearly explains in detail why this Mixed Use conversion provision is unlawful and must be prohibited in the ordinance.

You've been told by a party to the Mello Settlement Agreement that this mixed use provision violates the Settlement Agreement.

As the City Council Motion for this new ordinance says: "Los Angeles is suffering from a housing crisis. The problem is particularly acute in coastal areas."

The last thing we need to do is incentivize property owners to replace housing structures with commercial uses such as mixed-use restaurant and retail projects, which displaces residents.

Please do not allow the commercialization of our housing by allowing residential structures to be replaced by mixed use projects.

The ordinance must specifically prohibit conversion or demolition of 100% residential structures for non-residential, commercial mixed-use projects.

Please prevent displacement and protect housing for Angelenos in the Coastal Zone by insisting on this correction so the ordinance can move forward cleanly, legally, and with the full support of the community.

Communication from Public

Name: Joe Gatlin

Date Submitted: 10/19/2021 10:38 AM

Council File No: 15-0129-S1

Comments for Public Posting: Former President of the Barton Hill Neighborhood Organization. I was involved in the year 2000 Settlement Agreement regarding the Mello Act between the City of Los Angeles and The Venice Town Council, Inc., The Barton Hill Neighborhood Organization, and Carol Berman. Demolition or conversion of residential structures for purposes of mixed-use projects violates both the letter and the spirit of the Mello Act law, and, if approved, this new ordinance will constitute a breach of the Settlement Agreement. The City's desire to allow residential structures to be demolished or converted for purposes of mixed-use projects must be clearly prohibited in the final Mello Act ordinance in order to prevent increased displacement of what is most often our lower income and racially diverse residents. Even though the Barton Hill Neighborhood Organization has been dissolved, as former President I'm asking you to do this. The protection of our lower income residents from displacement is so important that I'm willing to take the steps to assure this correction is made. It would be a shame to have to request enforcement of the Settlement Agreement after all these years, and especially regarding such a basic and clear provision of the Mello Act that clearly does not allow demolition or conversion of residential structures for purposes of nonresidential uses unless the use is coastal dependent, a very narrow exception. It is incumbent on you to protect not only affordable housing but also all housing in our coastal zones. I'm also concerned that there has been no end of tricks and loopholes allowed by this City over these past two decades, resulting in the loss of a significant amount of replacement affordable housing, affordable housing that we expected would be protected by the Settlement Agreement. I'm not sure how that was allowed to happen, but it's high time that the Settlement Agreement and Mello Act be strictly followed and that the City take steps to protect our affordable coastal housing as well as our coastal housing stock, the legislative purposes of the Mello Act.

PLUM Mello Act Ordinance hearing

October 19, 2021

Joe Gatlin remarks

Former President of the Barton Hill Neighborhood Organization.

I was involved in the year 2000 Settlement Agreement regarding the Mello Act between the City of Los Angeles and The Venice Town Council, Inc., The Barton Hill Neighborhood Organization, and Carol Berman.

Demolition or conversion of residential structures for purposes of mixed-use projects violates both the letter and the spirit of the Mello Act law, and, if approved, this new ordinance will constitute a breach of the Settlement Agreement.

The City's desire to allow residential structures to be demolished or converted for purposes of mixed-use projects must be clearly prohibited in the final Mello Act ordinance *in order to prevent increased displacement of what is most often our lower income and racially diverse residents.*

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housing as well as our coastal housing stock, the legislative purposes of the Mello Act.