

Planning and Land Use Committee Report

May 2009

This month the NWSPNC Planning and Land Use Committee met jointly with Central's Planning Committee. We were also joined by two members of Coastal's Planning Committee to discuss issues of communitywide interest.

Proposed Sign Ordinance

The City is still working on the new sign ordinance. The draft ordinance contains three tiers of regulations. Tier 1 are generally applicable rules which reduce the total size, number and area for on-site signs from the current 4:1 area ratio to 2.5:1. Tier 2 rules only apply to non-residential projects with over 100,000 sq feet of floor area and at least 5 acres of land, Tier 3 would allow the establishment of Sign Districts. Tier 3 is only applicable to Regional Commercial Centers. Downtown San Pedro is designated as a Regional Commercial Center on our Community Plan. Sign Districts are optional. A Sign District must consist of at least 5,000 feet of street frontage or 15 acres, cannot be adjacent to a single-family neighborhood, each sq foot of new off-site or digital signage must result in more than one square foot of existing off-site signage being taken down within the Sign District, and allow up to 50% deviation beyond the Tier 1 standards. Sign Districts can be either more or less restrictive than Tier 1. To approve a Sign District there must, among other things, be a finding that the District has a unique quality, theme or character, and that the signage will have a unified design or architectural theme. At present there is no discussion about creating a sign district in San Pedro.

The Ordinance also outlaws digital signs and supergraphics except in sign districts and significantly increases inspection and penalties for illegal signs.

Channel Street Speed Trailer

Officers Pio and Lee reported on the findings from the speed trailer which was set up on the downhill side of Channel Street near the proposed "cut thru" from the evening of Friday Feb 20 to the evening of Wed Feb 25. Officer Pio cautioned us that during that time approximately 25,858 vehicles used Channel, roughly 5,000 per day. The average speed was 26.6 MPH with the fastest being 54 MPH. 85% of the cars were going 31 MPH or less. The speed limit is 30 MPH. The officers were unable to tell us the necessary stopping distance on a hill of that slope.

Speed Limits are set based on the actual speed under which 85% of people travel. Every 5 years the Department of Transportation is required to do an Engineering and Traffic Survey of every roadway in Los Angeles. The survey includes a study of speed (using a method which is considered more accurate than the speed trailer) and a report on the accident rate. This study is then used to set the speed limit. If the study is not up to date, then LAPD cannot write speeding citations. However, it is possible to receive a ticket for going less than the speed limit if the speed is considered unsafe for the existing conditions e.g., weather or traffic.

Anyone with traffic related questions can contact Officer Lee and Officer Pio at 213-485-7742.

CEQA Appeal Ordinance

The City Attorney has drafted an ordinance to establish a process for appealing California Environmental Quality Act (CEQA) determinations by non-elected commissions (e.g. Harbor Commission). The draft ordinance contains a number of provisions that would limit/discourage appeals. Attached is draft motion addressing those concerns.

SB 1818 and the Community Plan

SB1818 would allow a developer who provides a certain amount of housing for seniors, or low or moderate income households up to a 35% density bonus and other incentives such as increased height, reduced parking, and increased floor area ratio. It was suggested that each of the three planning committees look at the proposed community plan zoning and height requirements for their area with this in mind. For example, the proposed increase in height limitation for the property at 25th and Western to 75 feet could result in ten story high buildings with the application of the density bonus. Additionally, there are areas that are currently primarily single family homes where the zoning is R2-XL and a 35% bonus added to that could result in four story buildings next to single family homes and significantly more traffic. We should look at these areas to see if we want to recommend that any of them be downzoned to R1 or R1.5.

Hillside Ordinance

Recently the City passed the mansionization ordinance that established new regulations for single-family properties related to new construction or additions which are “out-of-scale” with regard to mass and size within established neighborhoods. The ordinance excluded the Coastal Zone and areas designated as hillsides. The City is now developing a similar ordinance that would be applicable to hillsides. The first step in the hillside ordinance is determining what properties that are currently considered “hillside” should be removed from that designation. The proposed change in designation would reduce the number of parcels identified as hillside from 275,864 to 170,076. A number of lots in San Pedro would be re-designated from hillside to flat and then would be covered by the current mansionization ordinance. A map is available for individuals to see if their lot is appropriately designated.

The next step in the process is the development of a specific ordinance that would control mansionization of the remaining hillside properties and include protections for wildlife corridor, fire department access, regulations for retaining wall construction, and other things that are specific to hillsides.

Council Office Report

- The Council office is setting up a meeting with community members and the new owners of the Amerigas Facility, Plains Canada, to discuss safety issues.
- The Council office plans to convene a meeting to discuss Ponte Vista. DOT has stated that a new Traffic Report would require the cooperation of the developer. The Councilwoman wants the developer to remove funding for ATSAC and apply those funds to other mitigations
- Parking meters in downtown San Pedro will be enforced from 8:00 AM to 6:00 PM only

China Shipping Aesthetic Mitigation Proposals

The Northwest San Pedro proposal to terminate the lease at EZ Smog & acquire the truck sales lot on N. Pacific and incorporate those properties into the greenbelt, was ranked #3 by the PCAC EIR Aesthetic Mitigation sub-committee. Central is supporting a proposal for the continuation of the beautification with sidewalk, curbs and gutters from N Pacific/Front/Harbor to Swinford. This proposal was ranked #4. Sue Castillo asked Northwest to also support this proposal and the committee recommends doing so.

Knoll Hill - Sue Castillo briefly discussed the latest idea for Knoll Hill which would include a broad multipurpose field and asked for Northwest to support this idea. Due to the lateness of the hour, no action was taken at this meeting.

CEQA MOTION

WHEREAS, the City Attorney has prepared a Draft Ordinance Establishing Procedures for Appeals to the City Council of CEQA Determinations; and

WHEREAS, the purpose of CEQA is to provide an opportunity for the public to have input on the consequences of governmental discretionary projects; and

WHEREAS, the proposed rules would unnecessarily limit public input by among other things,

1. Limiting an appeal to grounds raised before a non-elected decision making body even where the appeal is to the City Council;
2. Limiting the time for appeal, even where the notice provisions of the CEQA and Early Notification System have not been followed; and
3. Requiring payment of a fee by any appellant.

NOW THEREFORE, BE IT RESOLVED:

The Northwest San Pedro Neighborhood Council requests that proposed CEQA Ordinance be changed as follows:

The ordinance should provide 30 days to file an appeal after notice of the Environmental Determination and availability of appeal or 180 days in the absence of any such ordinance.

Any member of the public should be able to appeal a CEQA project

An appeal should not be limited to grounds raised before the non-elected decision making body.

City Council should provide at least 21 days notice before holding a hearing on a CEQA appeal, issue a staff report prior to the hearing, and provide the appellant with a meaningful opportunity to present his/her grounds for appeal

The requirement of a filing fee in connection with an appeal should be deleted.

Ordinance should make clear that a decision is not final until all appeals have been withdrawn or decided by the City Council.