

Communication from Public

Name: William Delvac
Date Submitted: 06/17/2024 03:19 PM
Council File No: 13-0078-S3
Comments for Public Posting: On behalf of SAN FERNANDO CA OWNER II LLC, which owns the site at 400 N. Avenue 19 in the CASP, attached is a letter on the proposed ICO.



WILLIAM F. DELVAC
T: 310.254.9050
E: Bill@AGD-Landuse.com

June 17, 2024

BY EMAIL

Chair Marqueece Harris-Dawson
& Planning and Land Use Committee Members
Los Angeles City Council
c/o City Clerk, Room 395
City Hall, 200 North Spring Street
Los Angeles, CA 90012

Subject: Council File 13-0078-S3 CASP Interim Control Ordinance

Honorable PLUM Committee Members,

We represent SAN FERNANDO CA OWNER II LLC which owns a site at 400 N. Avenue 19 in the Cornfield Arroyo Seco Specific Plan (CASP) area. Cadre has been in the process of planning for a self-storage use, as currently allowed in the CASP. However, self-storage uses would be subject to the proposed interim control ordinance (ICO), which is Item No. 7 on your June 18, 2024, agenda.

As cited in the ICO, this urgency ordinance is subject to Government Code Section 65858, which provides in Subsection (c):

The legislative body shall not adopt or extend any interim ordinance pursuant to this section unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of . . . use permits, . . . building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.

In an effort to comply with this state law requirement, Section 2 of the ICO includes the following two proposed findings that address the health, safety and welfare issues:

- A. There is a current and immediate threat to the public health, safety, and welfare from the introduction of new warehousing, distribution, and storage uses in the CASP area. Such uses can introduce new or increased air quality impacts that should be studied to determine if they should be subject to a discretionary approval process that involves environmental review and mitigation of health and safety impacts to the local community.
- B. The Ordinance will protect the public health, safety, and welfare.

These findings are consistent with the recitals in the ICO. Further, the nature of these findings are also included in the Urgency Clause in Section 10:



Chair Marqueece Harris-Dawson
& Planning and Land Use Committee Members
Los Angeles City Council
June 17, 2024
Page 2

The City Council finds and declares that this ordinance is required for the immediate protection of the public health, safety, and welfare because the warehousing, distribution, and storage uses in the Interim Control Area pose a threat to the disadvantaged communities within or in proximity to the CASP area who are overburdened by such uses, including from NOx, DPM, and PM2.5 emissions from, and from accidents involving, heavy trucks associated with warehousing, distribution and storage uses.

However, there is no evidence that self-storage facilities involve such issues. Further, it does not make common sense that a low volume use such as self-storage would involve any of these health, safety and welfare issues. A low volume of trucks that are typically not diesel trucks and are smaller likely make one trip per storage unit on “move-in” and again on “move-out”. In the interim, there would be infrequent trips to the self-storage facility, and these would be almost exclusively passenger vehicles.

Therefore, we believe that the prohibition in the ICO of self-storage uses may not be intended and is a result of use of the current CASP definition that groups warehousing, distribution and storage use together.

Even if intended, the prohibition is not supported by the findings and urgency clause in the ICO itself. Further, interim control of self-storage uses is inconsistent with the requirements of Government Code Section 65858.

For the above reasons, we respectfully request that the PLUM Committee amend the ICO to make it inapplicable to self-storage facilities.

Please let us know if you have any questions.

Very truly yours,

A handwritten signature in blue ink, reading 'William F. Delvac'.

William F. Delvac

cc: Hon. Eunisses Hernandez
Helen Campbell, CD 1
Kyle Hickey, CD1
Ryan Munoz, Cadre