

Legislation Summary/Follow-Up¹ – September 6, 2019

1. Accessory Dwelling Units (ADUs/Granny Flats).

For more than two years the City has been considering a draft ordinance to regulate ADUs in compliance with State law. PPCC has not taken a position on the draft ordinance. On August 20, the City Council Planning & Land Use Management (PLUM) Committee voted to direct the City Attorney to amend the current draft ordinance to prohibit construction of new ADUs in hillside areas located in Very High Fire Hazard Severity Zones (i.e., all hillside areas of the Palisades), EXCEPT where an ADU contains an automatic sprinkler system, provides one additional off-street parking space, is located on a lot that fronts a 20-foot-wide improved roadway, or is created through the conversion of existing habitable space. The matter was continued in PLUM to allow the City Attorney to complete the revisions (no time deadline for the report back).

2. Group Homes.

Following up on my June 27 “follow-up” report on this topic to the Board, on July 5, the City Council unanimously voted to adopt the PLUM Committee’s directive to the Planning Dept. & City Attorney to write another report answering questions about how sober living homes, community care facilities, group homes and other alcohol and drug rehabilitation facilities can be regulated (no time deadline for the report back).

3. Short-Term Rentals.

a) Primary Residence. Enforcement of the Home-Sharing Ordinance will begin on November 1. Hosts must register with the City online and adhere to a set of eligibility requirements. As of November 1, citations will be issued to any hosts not in compliance with the new rules. Meanwhile, as of this writing the City has not yet passed regulations related to the City’s proposed “platform agreement” (agreement with hosting platforms such as VRBO, Airbnb, etc.). Hosts must still comply with the ordinance regardless of whether the “platform agreement” regulations are passed.

b) Vacation Rentals. Motion proposing regulation of short-term vacation rentals still pending in the PLUM Committee (no ordinance drafted or considered and no hearing scheduled as of this writing).

4. Dockless Electric Scooters.

a) State: **AB 1112** (Friedman) opposed by the City of LA, the League of CA Cities (unless amended) and numerous cities statewide) pending in the Senate Transportation Cmtee; next hearing date unknown (as of this writing). Related bill: **AB1286** (Muratsuchi); Senate Judiciary Cmtee hearing (6/19) canceled by the author; no other date has been set (as of this writing).

b) LA: CM Koretz Motion (regulation of e-scooters/cooperation with law enforcement as condition of Permit issuance); awaiting City Attorney to report back on legal parameters (as of this writing).

5. Preemption of Local Land Use Control (Home Rule).

Two related bills by Bay Area Senators/allies Nancy Skinner (Oakland) & Scott Wiener (San Francisco):

a) SB 330 (Skinner). Opposed by the League of CA Cities, the CA Association of Counties & numerous cities statewide (CM Koretz motion to oppose still pending in the LA City Council Rules Cmtee with no hearing date set). Passed in the Senate (Allen voted “Aye” in floor vote) and in all applicable Assembly Committees

¹This is a follow-up to two prior legislation summaries, dated 6/13 & 6/27. See <http://pacpalicc.org/index.php/reports-summaries/> (scroll down to Legislation Summaries).

(Bloom voted “Aye” in Appropriations). Awaiting “third reading” (as of this writing); will soon go to a floor vote in the Assembly where it will likely pass, then to the Governor for signing (or a veto).

b) SB 592 (Wiener). Opposed by the City of LA (per CM Koretz motion), the League of CA Cities (unless amended), the CA Association of Counties & several cities statewide. This is the “gut and amend” bill that originally passed in the Senate as a bill about “cosmetology licenses” but was stripped of its text and title and replaced with a new bill by Sen. Wiener, adding some of the same “local control” preemptions that were in his now-suspended SB 50. Since then, the bill has passed in all applicable Assembly committees (Bloom voted “Aye” in Appropriations). Awaiting “third reading” (as of this writing); will soon go to a floor vote in the Assembly where it will likely pass, then must return for another vote in the Senate (since the bill previously voted on was not this bill). It’s unknown how Sen. Allen will vote on the new “gutted and amended” version.

c) Commentary about both bills:

According to land use & planning commentators/critics, both of these bills (to varying degrees, with some overlap and different complicated provisions) take away significant land use authority from California cities and counties, reducing their traditional review and approval powers over development projects that shape their communities. Among other things, critics maintain that under these bills land use approval hearings are “speeded up” (reducing the ability for public input, environmental review, etc.); low-density (single-family) residential zoning is effectively eliminated, as are local architectural, design & historic standards; developers are allowed to sue the local government for compensatory damages if projects are denied under certain circumstances (thus pressuring local governments to approve projects rather than face lawsuits); and neither bill would actually produce more affordable housing – their ostensible goal. [Many of these points are made in the City of LA’s resolution in opposition to SB 592.]

*Prepared by Chris Spitz,
PPCC Secretary, September 6, 2019
(Summary also posted at www.pacpalicc.org/
Documents/Reports & Summaries)*