

Updates on Legislation & Boise: January 2020

Rooftop Digital Ads on Taxicabs (proposed pilot program):

The City Council may take action in January on the motion for a pilot program to allow rooftop digital advertising displays (motion passed in the Transportation Committee in November). For more information, see the Transportation Committee Report: http://clkrep.lacity.org/onlinedocs/2019/19-0104-s1_rpt_tran_11-26-2019.pdf

Vacation Rentals Ordinance:

In December, despite the opposition of Councilmembers Bonin, Koretz & Rodriguez, a majority of the City Planning Commission (CPC) by a vote of 5-2 approved a proposed ordinance regulating vacation rentals in the City (per a Planning Dept. Staff Report to the CPC), with modifications & requests for further study as to some aspects. The proposed ordinance will next go to the City Council PLUM Committee (date TBD). For further details see: <https://www.latimes.com/california/story/2019-12-19/los-angeles-vacation-rentals-city-council-considers-loosening-rules>

Among the key ordinance provisions and/or CPC directives:

- Applies only to *non-primary residences* that are “occasionally/intermittently” owner-occupied
- Vacation rentals limited to *90 days* per calendar year (staff had recommended 30 days)
- Citywide cap on permits: 14,500, or 1% of City’s housing stock (staff had recommended 3625, or 0.25%)
- Staff to study & report to PLUM on feasibility of requiring additional proof of “occasional” residency (Commissioners expressed concerns about enforcement of many of the ordinance provisions.)

Despite PPCC’s request and the Commissioners’ concerns about enforcement, the CPC did **not** recommend a provision for a hotline for the public to register complaints. For more information, see:

PPCC letter to the CPC: <http://pacpalicc.org/wp-content/uploads/2019/12/Vacation-Rentals-Letter.pdf>

Planning Staff Report: <https://planning.lacity.org/odocument/93d9f07c-c1b4-40dc-be51-137cf9916cee/CPC-2019-7045.pdf>

Planning Dept. FAQ & Draft ordinance: <https://planning.lacity.org/plans-policies/proposed-land-use-regulations>

Accessory Dwelling Units (ADUs) Ordinance:

In December, the proposed ordinance regulating ADUs (incorporating revisions required by recently enacted State law) was adopted. Under the new ordinance, ADUs will be allowed in all residential zones, EXCEPT that detached ADUs are *prohibited on lots located in both the Very High Fire Hazard Severity Zone and the Hillside Area (i.e., much of the Palisades)*, UNLESS all of the following conditions are present: 1) automatic fire sprinklers are provided; 2) at least one off-street parking space is provided; and 3) the lot fronts a street improved to a minimum width of 20 feet (“requirements deemed necessary to protect the public peace, health and safety,” per the City Attorney’s Report dated December 5, 2019). For more information, see the City Attorney Report: http://clkrep.lacity.org/onlinedocs/2016/16-1468_rpt_ATTY_12-05-2019.pdf

SB 50 (Wiener) – preemption of local land use control/“up-zoning” of almost all R-1 zones statewide

The bill remains in the Senate Appropriations Committee (Sen. Portantino, Chair). Sen. Wiener is expected to introduce amendments on Jan. 6 in an effort to gain support and move the bill out of committee. There is a carve-out for the Very High Fire Hazard Severity Zone, *i.e., all of the Palisades*, unless “fire hazard mitigation measures” (undefined) are in place; it’s unclear how this exception would apply here or if additional amendments may affect the Palisades. The Appropriations Committee must decide by Jan. 24 whether the bill will move forward – and Sen. Portantino is reportedly under pressure by leading California officials to do so. Despite strong opposition statewide (including Los Angeles & San Francisco), many legislators support SB 50 (to date, Sen. Allen opposes); more legislators may come on board to support the bill with new amendments on the 6th. We will monitor.

Boise case (homeless overnight camping):

As widely reported, SCOTUS has denied review of the case, without comment; the 9th Circuit decision stands.