



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R17-0111
APR 18 2017

REPORT RE:

**REVISED DRAFT ORDINANCE ADDING SUBDIVISION 10 TO SECTION 14.00 A OF
ARTICLE 4 OF CHAPTER 1 OF THE LOS ANGELES MUNICIPAL CODE
TO ESTABLISH A PROCESS TO LEGALIZE UNPERMITTED DWELLING UNITS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 14-1150-S1

Honorable Members:

On October 4, 2016, this Office prepared and transmitted for your consideration, approved as to form and legality, a draft ordinance adding Subdivision 10 to Section 14.00.A of Article 4 of Chapter 1 of the Los Angeles Municipal Code (LAMC). (City Attorney Report No. R16-0318.) The proposed ordinance would allow property owners to legalize previously unpermitted residential units in return for providing at least one on-site affordable residential unit.

A revised draft ordinance was transmitted on March 17, 2017, that clarified a number of issues as requested by the Department of Building and Safety and the Department of City Planning.

On March 29, 2017, the City Council approved a motion requesting the City Attorney to revise the draft ordinance to allow the Housing and Community Investment Department to charge a fee to recoup its costs for its preparation and enforcement of

affordable housing covenants pursuant to the Unpermitted Dwelling Unit ordinance. The City Attorney transmitted the revised draft ordinance on April 7, 2017.

This Office recently determined that three technical clarifications in the draft ordinance are appropriate and desirable to more clearly convey the purpose of the ordinance. Therefore, this Office is transmitting a revised draft ordinance to change the phrase "in a multiple-family zone (R2 or above)" to "in a zone that allows multiple-family uses (R2 or less restrictive)" in Subdivision 10(c). This revised draft ordinance also changes the phrase "in a multiple family zone" to "in a zone that allows multiple-family uses" in Subdivision 10(d)(3). Finally, this revised proposed ordinance changes ".5" to "0.5" in Subdivision 10(d)(4)(iii).

New Fee Notice Required

The New Fee Notice discussed in Report No. 17-0104 supports your consideration of the enclosed revised draft ordinance.

Charter Findings and California Environmental Quality Act Determination

The Charter Findings discussed in Report No. R16-0318 and the CEQA Determination discussed in Report No. 17-0086 further support your consideration of the enclosed revised draft ordinance.

If you have any questions regarding this matter, please contact Deputy City Attorney Amy Brothers at (213) 978-8069. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:AB:gl
Transmittal