

**CATEGORICAL EXEMPTION, HOUSING COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION** relative to granting legal status to certain existing unpermitted dwelling units in multiple-family buildings and related fees for program administration.

**Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. DETERMINE that the accompanying Ordinance is categorically exempt pursuant to City's California Environmental Quality Act (CEQA) Guidelines Section 15301, and Class 1, Categories 1, 4 and 5 of the CEQA Guidelines. Projects that qualify for this exemption include those involving repair, permitting, or minor alteration of existing private or public structures or facilities, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This determination that the project is exempt from CEQA as referenced above, is based on the whole of the administrative record, the lead agency's independent judgment and analysis, and the determination that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. ADOPT the FINDINGS approved by the Los Angeles City Planning Commission on February 25, 2016, as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE dated April 18, 2017 adding Subdivision 10 to Section 14.00.A of Chapter 1 of the Los Angeles Municipal Code to preserve and create affordable housing units by establishing a process for granting legal status to certain existing unpermitted dwelling units in multiple-family buildings, and amending Subsections (a) and (e) of Section 19.14 of Chapter 1 to clarify the applicability of previously approved fees to the administration of the program.
4. RECEIVE and FILE Ordinance dated April 6, 2017.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**- URGENCY CLAUSE -**

**(12 VOTES REQUIRED ON SECOND READING)**

**(Planning and Land Use Management Committee waived consideration of the above matter)**

**SUMMARY**

In a report to Council dated April 18, 2017, the City Attorney states on October 4, 2016, an ordinance was prepared to allow property owners to legalize previously unpermitted residential units in return for providing at least one onsite affordable residential unit. A revised draft ordinance was transmitted on March 17, 2017, clarifying a number of issues as requested by the

Department of Building and Safety and the Department of City Planning.


The City Attorney goes on to state that on March 29, 2017, Council requested the City Attorney to revise the draft ordinance to allow the Los Angeles Housing and Community Investment Department (HCIDLA) to charge a fee to recoup its costs for its preparation and enforcement of affordable housing covenants pursuant to the Unpermitted Dwelling Unit ordinance. In response to the Council request, a revised Ordinance dated April 6, 2017 was prepared. Subsequently, the City Attorney presented a second Ordinance (dated April 18, 2017) as modified to include the fee provisions and the following technical amendments:

- 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).
- Change the phrase in a multiple family zone to in a zone that allows multiple-family uses in Subdivision 10(d)(3).
- Change .5 to 0.5 in Subdivision 10(d)(4)(iii).

At its meeting held April 19, 2017, the Housing Committee discussed this matter with representatives of the City Attorney, Department of City Planning, and HCIDLA. Staff stated that the technical amendments were recommended by HCIDLA and the Department of Building and Safety. Fee revenue will be used by HCIDLA to record and monitor affordable units of housing resulting from this Ordinance. Committee recommended that Council receive and file the Ordinance dated April 6, 2017, and approve the Ordinance dated April 18, 2017 and the related findings.

Respectfully Submitted,

HOUSING COMMITTEE



*For Cedillo*

<u>MEMBER</u>	<u>VOTE</u>
CEDILLO:	YES
KORETZ:	ABSENT
HUIZAR:	ABSENT
PRICE:	YES
HARRIS-DAWSON:	YES

jaw

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**