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RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, effective January 1, 2003 AB 1866 amended Government Code §65852.2 *et seq*), mandating ministerial consideration of the creation of second dwelling units by local governments with an Accessory Dwelling Unit ordinance; and

WHEREAS, the intent of AB 1866 is to encourage the creation of accessory dwelling units (ADUs), also known as 'second dwelling units' and 'granny flats,' in single family and multi-family residential zones, there are also detrimental land use and public utility impacts associated with their construction; and

WHEREAS, pending consideration in the Legislature is AB 2299 (Bloom), which would specify that a local agency may reduce or eliminate parking requirements for any second dwelling unit located within its jurisdiction by prohibiting the imposition of parking standards if the ADU is located half a mile of public transit, or located within an architecturally and historically significant historic district, potentially impacting parking in the City's Historic Preservation Overlay Zones (HPOZs) and many other neighborhoods Citywide that are close to public transit ; and

WHEREAS, AB 2299 *requires* local agencies to provide by ordinance for the creation of second dwelling units in single family and multifamily residential zones, thereby differing from existing law which gives local governments the *authority* to enact a second dwelling unit ordinance *when needed*; and;

WHEREAS, by *mandating* that cities enact a second dwelling unit ordinance, AB 2299 goes beyond the original intent of AB 1866 which provided local agencies the option to enact a second dwelling unit ordinance, and also eliminates parking requirements under certain circumstances, and thereby, undermining local land use control; and

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-16 State Legislative Program OPPOSITION to AB 2299 (Bloom), which would require local agencies to provide by ordinance for the creation of second dwelling units in single family and multifamily residential zones, thereby differing from existing law, (AB 1866 Government Code §65852.2 *et seq*), which gives local governments the authority to enact a second dwelling unit ordinance when needed, and also under certain circumstances eliminates parking requirements in these zones, and thereby undermining local land use control.

PRESENTED BY:
NURY MARTINEZ
Councilwoman, 6th District

SECONDED BY:

ORIGINAL

JUN 7 2016