

ORDINANCE NO. _____

An ordinance amending Los Angeles Municipal Code Sections 12.80 and 12.81 to align the City's shelter crisis regulations with Government Code Section 8698 *et seq.*

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Sec. 1. Section 12.80 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

SEC. 12.80. HOMELESS SHELTERS – EMERGENCIES – GOVERNMENT OWNED AND LEASED PROPERTY.

Notwithstanding any provisions of this article to the contrary, during any period for which the Mayor and/or the City Council have declared a shelter crisis within the meaning of Government Code Sections 8698, *et seq.*, a shelter for the homeless (as defined in Section 12.03 of this Code) may be established and operated on property owned or leased by the City of Los Angeles in any zone as a matter of right without regard to the number of beds or number of persons served. Facilities used as a shelter for the homeless under this section must comply with the minimum building regulations set forth in Section 91.8605 of this Code, as it is currently written or as it may be amended in the future. If the lot on which any such shelter is located does not have sufficient area to provide the number of parking spaces required by Section 12.21 A.4.(w) of this Code, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking spaces exists on the lot, no spaces shall be required.

Sec. 2. Section 12.81 of Article 2 of Chapter 1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

SEC. 12.81. HOMELESS SHELTERS – EMERGENCIES – CHARITABLE ORGANIZATIONS.

A. Notwithstanding any provisions of this article to the contrary, during any period for which the Mayor and/or the City Council have declared a shelter crisis within the meaning of Government Code Sections 8698, *et seq.*, a shelter for the homeless (as defined in Section 12.03 of this Code) may be established and operated in the R3, RAS3, R4, RAS4, R5, C2, C4, C5, CM, M1, M2, and M3 zones without regard to the number of beds or number of persons served, if the shelter is operated by a religious institution or a non-profit, charitable organization and the shelter is located on property owned or leased by that institution or organization. If the lot on which any such shelter is located does not have sufficient area to provide the number of parking spaces required by Section 12.21 A.4.(w) of this Code, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking spaces exists on the lot, no spaces shall be required. Unreinforced masonry and/or non-ductile concrete buildings shall not be used as shelters for the homeless.


B. Requirements.

1. Providers shall register with the City of Los Angeles by submitting "Cold/Wet Weather Temporary Shelter Application" online via the City's website (www.lacity.org); and
2. Providers shall comply with the "Cold/Wet Weather Temporary Shelter" requirements promulgated by the Los Angeles Fire Departments Fire Prevention and Public Safety Bureau; and
3. Providers shall provide written notification to the owners of properties abutting the subject property, as well as to any school located within 500 feet of the subject property, prior to operating a shelter for the homeless on the subject property.
4. Providers shall comply with all local, state, and federal requirements that apply to the permitted use of their property while operating a shelter for the homeless pursuant to this section.

Sec. 3. URGENCY CLAUSE. The City finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: The measures contained in the ordinance are designed to protect those without shelter from the life-threatening impacts related to homelessness, including, but not limited to, exposure to extreme temperatures, weather conditions, and communicable diseases. The City of Los Angeles is already in the midst of a shelter crisis, with the City Council having formally declared a shelter crisis under California Government Code Section 8698, based on a finding that a significant number of homeless people in Los Angeles are without the ability to obtain shelter, resulting in a threat to their health and safety, and the homeless population continues to grow. In order to address the threat to the health and safety of the homeless, there must be an increase in the number of shelters available to the homeless to find refuge. For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality
MICHAEL N. FEUER, City Attorney

By 
ADRIENNE S. KHORASANEE
Deputy City Attorney

Date 8-6-2019

File No. 15-1138-S40

Pursuant to Charter Section 559, I
approve this ordinance on behalf
of the City Planning Commission and
recommend that it be adopted.


VINCENT P. BERTONI, AICP
Director of Planning

Date 8-7-19

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____