

would undergo review by the DCP, the City Planning Commission and the full City Council, per the City Charter.

See item 3, below, for considerations related to the potential establishment of administrative procedures to require expanded notification prior to issuance of a building permit.

- 2. The feasibility of LADBS and DCP applying a Zoning Information File/Notice on the Zoning Information and Map Access System (ZIMAS) for all motel properties, advising building permit applicants to contact the appropriate Council Office.**

The DCP has some data on all current motel locations, based on LA County Assessor Data. This data does not necessarily encompass all properties that would be eligible for the provisions of the proposed ordinance: properties which have a valid Certificate of Occupancy for a motel, hotel, apartment hotel, transient occupancy residential structure or hostel use.

If the City Council would like to include a requirement for Interim Motel Housing Project applicants to provide notice to the appropriate Council Office, potential amendments are discussed in item 3, below.

- 3. The development of administrative procedures, by HCID and LADBS and with any local public agency, that would require a Council Office's acknowledgement letter (similar to what is required by HCID for affordable housing project applications) prior to issuing a commitment to fund services, or prior to issuance of a building permit, change of use, or certificate of occupancy.**

By-right building permits are ministerial in nature and do not trigger City Council discretionary action. Unlike the HCID funding process, the proposed ordinance is a zone code amendment, and would include all performance standards and procedures upfront and allow LADBS to administratively review potential projects. It is possible to instead create a discretionary entitlement review process for these projects that would require City Council review and approval, as outlined in item 1.

If the intent is to create a noticing requirement that would apply to all potential projects, a new objective requirement could be added to the existing application procedures. For example, the ordinance could require a notification process similar to the current LADBS noticing for demolition permits in which advance notice of a pending permits application is provided to the appropriate Council Office prior to the issuance of a building permit.

Nuisance Abatement/Revocation Proceedings

- 4. The inclusion of a prohibition from participating in this ordinance program for properties that are in the process of any nuisance abatement revocation proceedings, or are subject to outstanding code violations from either LADBS or the Housing and Community Investment Department (HCID).**

In some instances, converting potential nuisance properties into supportive or transitional housing may be a desirable outcome to a local community. In other instances, converting a potential nuisance property may create ongoing unease and concern about future expectations at the same location. The proposed ordinance as written does not include a prohibition for properties undergoing nuisance abatement revocation proceedings. The outcome of a pending nuisance abatement proceeding would be a fact-specific determination made by the Zoning Administrator, pursuant to the proceedings in LAMC Section 12.27.1. Any property that has its operating approvals revoked through a nuisance abatement process would not be further eligible for conversion under this program.

Any conditions that have been imposed as a result of administrative nuisance abatement proceedings would run with the land and would continue to apply, as applicable, to any Interim Motel Housing Project. Any future application for a modification of conditions, would be subject to a public hearing. The proposed ordinance allows properties undergoing nuisance abatement proceedings to apply for conversion under this program. Many of the issues that contribute to the nuisance use may be cured through the existing abatement process (including through the imposition of applicable operational conditions through the public hearing process) along with the introduction of a new use and operator.

As described in response to item 8, below, all outstanding code violations would be required to be resolved prior to issuance of a building permit.

Operational Requirements and Performance Standards

5. The inclusion of requirements for participating hotels and motels relative to security lighting and cameras in external areas, and enclosures for trash and recycling facilities.

As discussed in item 4, above, any operational conditions that have been imposed as a result of nuisance abatement revocation proceedings would continue to apply, as applicable, to any Interim Motel Housing Project. This would include operational security requirements such as security lighting and cameras.

If the City Council would like to include additional standards related to operational security and maintenance that are applicable to all motel conversions, the following new objective performance standards could be added to the proposed ordinance:

1. **Security Lighting.** Security lighting shall be provided in parking areas, alleys and any unenclosed spaces under or within the first floor of the building(s).
2. **Recycling and Trash Facilities.** Any recycling and trash facilities shall be secured and completely enclosed by a solid wall or fence not less than six feet in height.

- 6. A requirement for overnight on-site supervision, such as a live-in service provider, to ensure tenants have full support at all times, rather than just during the hours in which support service programming is being provided or facilitated.**

California Code of Regulations Title 25, Section 42 requires that all residential properties with at least 16 dwelling units and all hotels with at least 12 guest rooms provide onsite management twenty four hours a day to provide general services for the tenants. The property manager is required to reside on the property. This requirement would apply to Interim Motel Housing Projects approved as a result of the proposed ordinance. The majority of motels that would convert to supportive housing or transitional housing have more than 16 units, as the average motel in the City has approximately 30 guest rooms.

As a zoning ordinance, the proposed ordinance requires the provision of supportive service space onsite. Staffing and operational procedures would be outlined in a required supportive services plan. The supportive services plan is evaluated and approved by the local public agency which provides funding and oversight for motel conversions. The public agency would verify that the level of intensity of onsite supportive services and case management is appropriately scaled to meet the individual needs of the residents of the supportive housing and transitional resident property managers maintain emergency contact information for case managers and the housing operator if services are needed outside of regularly scheduled hours.

Implementation

- 7. How HCID, LADBS, and DCP will proactively monitor the expiration of any contracts, and enforce the ordinance requirements at the termination of contracts, if a new unit will be created, similar to the Condition Compliance Unit / MViP program.**

LADBS will maintain a database of all Interim Motel Housing Projects that are approved as a result of the proposed ordinance, including information on the expiration date of all contract terms. The proposed ordinance includes a requirement for applicants to notify LADBS within 90 days of any termination of the contract to provide supportive housing or transitional housing. The DCP will also report regularly on the numbers of Interim Motel Housing Projects as part of its reporting on the Comprehensive Homeless Strategy. LADBS would have the authority to issue an Order to Comply to enforce the use violation.

- 8. A requirement for LADBS/HCID to conduct a thorough code inspection of both the interior and exterior of buildings and ensure full compliance and ensure that there are no unresolved Orders to Comply to the property as a whole.**

All Interim Motel Housing Projects will be required to meet all code standards. An inspection is required before the issuance of any permit from LADBS to ensure that the entire property adheres to all code requirements. This inspection would ensure that the entire property being

used for an Interim Motel Housing Project is in compliance with the Building Code and all fire life safety requirements are met.

Any outstanding Orders to Comply would similarly be required to be resolved prior to issuance of a building permit. LADBS would verify that all violations are resolved prior to the issuance of any permit.

Properties would also become subject to HCIDLA's Systematic Code Enforcement Program (SCEP), which would require systematic inspections as long as a valid contract is in place to provide supportive housing or transitional housing.

9. The number of motels operating under a Conditional Use Permit, and if the proposed ordinance overrides these conditions.

The average age of a motel in the City of Los Angeles is 73 years old, indicating that many motels would have been approved before CUP requirements for motels were established in the mid-1990s. Data is not readily available on the number of motels currently operating under a Conditional Use Permit (CUP).

However, any conditions imposed as part of the approval of a CUP run with the land. This means that those conditions would continue to apply to any Interim Motel Housing Project approved as a result of the proposed ordinance. Conditions may only be modified if the applicant submits an application for a Plan Approval pursuant to the procedures in LAMC Section 12.24 M.

10. If the County of Los Angeles adopted a similar motel conversion ordinance for unincorporated areas, or if other cities within the County adopted similar land use ordinances.

At this time, the County of Los Angeles has not adopted a similar motel conversion ordinance; however, the Board of Supervisors introduced a motion (18-0729) on February 20, 2018 directing the Department of Regional Planning to prepare an ordinance to remove zoning obstacles to encourage and incentivize permanent supportive housing, including motel conversions.

The Department is not aware of any other cities within the County that have adopted a similar ordinance to allow the temporary conversion of motels for supportive housing and transitional housing.

Conclusion

The Department appreciates the additional opportunity for discussion of these issues. Should you have any additional questions, please contact Matthew Glesne at (213) 978-2666 or matthew.glesne@lacity.org.

Sincerely,

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