

# FINDINGS

*As amended by the City Planning Commission September 13, 2018*

## I. GENERAL PLAN/CHARTER FINDINGS

### City Charter Section 556

In accordance with Charter Section 556, the proposed ordinance is in substantial conformance with the purpose, intent and provisions of the General Plan in that it would further accomplish the following goals, objectives and policies of the General Plan outlined below.

#### General Plan Framework Findings

The proposed ordinance will meet the intent and purposes of the General Plan Framework Element to encourage the creation of housing opportunities for households of all types and income levels, while at the same time preserving the existing residential neighborhood stability of residentially zoned neighborhoods. Home-sharing, as an accessory use to primary residences, furthers those goals as they increase the utilization of empty space within homes to assist with housing costs without significantly changing neighborhood character. In particular, the ordinance would further the intent and purpose of the Framework Element of the following relevant Goals and Objectives:

The proposed ordinance is consistent with Land Use Goal LU-4, which seeks to preserve and enhance the residential character of existing neighborhoods, and furthers Land Use Policy LU-4.2, which seeks to create convenient supporting services and alternative residential types when they meet standards for development that protect neighborhood character.

The ordinance requires that home-sharing only occur in structures approved for residential use. Allowing for limited short-term accommodation of guests as an accessory use to dwelling units is an activity that is incidental and accessory to the primary residential use. The charging of rent, in and of itself, is similar to what occurs in almost one-third of the City's single-family residential zones, which are currently renter-occupied. In the Los Angeles Zoning Code, short-term rentals of less than 30 days are already permitted through a CUP in Bed and Breakfast establishments, which may be located in any zone. Other accessory uses, such as Accessory Living Quarters, already permit the short-term stay of guests in residential zones.

As the definition states, home-sharing is considered an accessory use to a (primary) residence. As such, the dwelling unit is already used for sleeping, cooking, eating, and living. The unit may be considered a residential dwelling regardless of whether its renters are primarily short term or long term or whether it is vacant most of the time. As a fundamentally residential use, home-sharing is consistent with the General Plan Land Use categories that allow residential uses within the range of uses.

#### Housing Element 2013-2021

The ordinance furthers the aim of preserving housing stock (Objective 1.2) through its focus on new ways to enforce the current bans on vacation rentals as well as the proposed prohibition on conversions of apartment buildings to transient occupancy residential structures. The Housing Element also calls for amending the zoning code to facilitate innovative housing models to make housing more affordable, including shared housing and congregate housing (Program 67). The Home-Sharing ordinance will allow thousands of Angelenos to efficiently use space in their homes

to afford the cost of housing. As such, the ordinance furthers the following Housing Element policies:

1.1.1 Expand affordable homeownership opportunities and support current homeowners in retaining their homeowner status.

1.2.1 Facilitate the maintenance of existing housing in decent, safe and healthy condition.

1.2.2 Encourage and incentivize the preservation of affordable housing, including non-subsidized affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.

1.4.1 Streamline the land use entitlement, environmental review, and building permit processes, while maintaining incentives to create and preserve affordable housing.

### **City Charter Section 558(b)(2)**

In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance would be in conformity with public necessity, convenience, general welfare and good zoning practice. The ordinance would align the City with many cities across the country that have recognized the need for new regulations regarding the fast expanding use of residential spaces for short-term rentals. Current regulations prohibit both the sharing of one's own primary residence (home-sharing) and the conversion or rental of otherwise vacant units for short-term rental (vacation rental). This needlessly stifles efficient use of residential space and prevents hosts from sharing their home on occasion to help afford housing cost. The lack of current regulations specific to home-sharing also makes enforcement very difficult. A new regulatory framework is needed to adapt to the sharing economy, including new tools to enforce regulations against vacation rentals. The ordinance would limit home-sharing to an accessory use of a structure, with the home required to be someone's primary residence, thereby protecting residential areas from uses that are primarily transient in nature.

### **City Charter Section 559**

In accordance with Charter Section 559, and in order to ensure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Office of City Attorney. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.